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FAYETTEVILLE OBSERVER.

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EDWARD J. HALE & SONS,
EDITORS AND PROPRIETORS.

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SPECIAL NOTICE.

From and after this date, no name of a new subscriber will be entered without payment in advance, nor will the paper be sent to such subscribers for a longer time than is paid for.

Such of our old subscribers as desire to take the paper on this system will please notify us when making remittances.

Jan'y 1, 1858.

FOR THE OBSERVER.

FAIR HAVEN, N. C., Jan'y 22.

Messrs E. J. Hale & Sons: I am sorry that I have seen no account of any one helping to make up the 100 barrels of Flour as proposed. It was a very little matter, but would have caused [illegible] to feel that they were not forgotten by those not immediately around them and would gladden the hearts of the soldiers in the army. And I think we ought to carry on this war by volunteering and acts of liberality as well as by conscription and taxation. Let some one make a proposition. I know a number of mill owners that could do considerable in this way. I never have a great deal but I think I could with a good will and wish spare a few more barrels in so valuable a cause. I never voted for a Convention, nor to take N. Carolina out of the Union, or for "the last man or last dollar," but I pledge myself if necessary to give the last dollar and last barrel of Flour I have in the support of this war until we get our independence, and go in the army myself if it should be necessary.

HARRIS TYSOR.

FORT FISHER, Jan'y 28

Messrs E J Hale & Sons: In these days of almost superhuman trial and distress, when speculators and extortioners are rife in our country, buying up and monopolizing the markets, it is a pleasure to record the deeds of patriotism and charity of those who befriend the families of soldiers and furnish them with the necessaries of life at greatly reduced prices. Mr. Owen Smith, of Bladen county, a true patriot of moderate means, has been furnishing the soldiers' families with corn, meat, wool, potatoes, and other necessaries of life, at very low prices, when he was offered the highest price in market. He let soldiers' wives have corn at one dollar per bushel, when others were selling at five and six, and other articles accordingly. He sold them hogs for $10 that he was offered $40 for. He has taken his horse out of his farm to oblige soldiers' wives when he was in need of it himself. He did this without charge and paid a boy to drive the horse.

We mention this case, wishing the country to see and know that we still have patriotic and charitable men among us, and hope that their example will be emulated.

R. E. & D. R. C.

TRIBUTE OF RESPECT.

ARSENAL & ARMORY, FAYETTEVILLE, N. C., Jan'y 25, 1864.

A meeting of Company A, (Ordnance Corps) 2d N. C. Battalion for local defence, was held this day, and on motion of C. A. Cameron, Sgt Rob't H. Holliday was called to the chair, whereupon he requested C. A. Cameron to act as Secretary, and after explaining the object of the meeting, appointed the following committee to draft suitable resolutions in reference to the death of their esteemed brother soldier John McNeill, viz: Sg't Daniel Brown, Sg't Alex. McDonald, Privates Benjamin F. Rives and Nathan Hall, who after retirement submitted the following:

Whereas, In the inscrutable wisdom of Him who "doeth all things well," He has seen fit to remove from us our worthy comrade, John McNeill, who died on the 14th inst., after a brief illness; therefore

Resolved, That we cheerfully submit to the will of an all-wise Providence, and with resignation confess that it is the Lord's work—that He hath done as it appeared unto Him good, and His holy name should be blessed by us though this Providence seemeth dark to our weak natural minds

Resolved, That although it cannot be said of the deceased that he performed deeds of daring and chivalry in a military view, yet he was famous for intrepidity and steadiness in the due performance of the duties required of him in that branch of the service to which he belonged

Resolved, further, That if he had been called to buffet with the fiery waves of that crimson tide that has so fearfully blighted our once fair land, he would still have stood nobly at the post of duty and rendered satisfactory evidence of his patriotic and manly virtues.

Resolved, finally, That we tender our sincere condolences to the bereaved family, and that we furnish the parents of the deceased with a copy of these resolutions, which we send to the Fayetteville Observer for publication, with the request that the N. C. Presbyterian please copy. Sgt. ROB'T H. HOLLIDAY, Chn.

C. A. CAMERON, Sec'y.

Sergt D. BROWN,
" A. MCDONALD,
Private NATHAN HALL,
" B. F. RIVES, } Com.

RESOLUTIONS OF THE P. T. & L. SOCIETY.

Whereas, In the inscrutable purpose of an all-wise Providence, our worthy member John S. McDougald has been called from time to eternity. He fell in the bloody siege of Vicksburg, and soon after expired from his wounds.

Resolved, That in his death we have lost one of our brightest ornaments—a model of patriotism, virtue and truth—and that our country has lost one of its first volunteers, a dauntless defender, whose life has been freely offered on the altar of his beloved South.

Resolved, That though he is the eighth member of th's Society that have fallen nobly defending their rights and all they hold dear, out of thirteen who have left us for the tented field, yet our hope is in the great Ruler of the Universe.

Resolved, That a copy of these resolutions be sent to the Observer for publication, another to his bereaved parents, and one be preserved in the archives of this Society: COMMITTEE OF THE SOCIETY.

NOTICE.

TO THE TAX PAYERS OF HARNETT CO.:

THE Collector, with the Assessors, will be at Lillington on MONDAY the 15th, Tuesday 16th, Wednesday 17th, and Thursday 18th days of FEBRUARY, for the purpose of listing the Income Tax and all other Taxes due at this time. The Collector will be present for the purpose of collecting the Income Tax and all Taxes due up to this date.

C. C. BARBEE, Tax Collector.
JOHN GREEN, }
B. F. SHAW, } Assessors

Jan'y 19, 1864 1800*3t

CATTLE FOR SALE.

THE subscriber as Administrator of Jas. S. Ray, dec'd, will expose to public sale on a credit of six months, 8 or 10 head of Cattle. The sale will take place at the residence of Wm. B. Ray, Esq., in Carver's Creek District, on THURSDAY, the 11th day of Feb'y next. DUNCAN RAY, Adm'r.

Jan'y 18. 98-3tpd

ATTENTION LADIES!

NOTICE is hereby given to the Ladies of Moore, Cumberland, Harnett and the adjoining counties, that in accordance with an ancient custom, we will cease paying our addresses to our Lady friends of the aforesaid counties, as this is Leap year and being advocates of "Woman's Rights" do each and every one of us promise and bind ourselves not to write to any young lady unless she write to us first, as this would be going beyond the limits of our privileges. Ladies, a chance is offered for correspondence with whoever you may choose. Send in your letters, they will be thankfully received and promptly responded to. It is hoped and believed that all concerned will be benefitted by this notice and many an aching heart relieved by the same.

YOUNG MEN OF CO. C,
35th Regiment, N. C. T.

Tarboro', N. C., Jan. 1, 1864. 98*4tpd

OBSERVER.

FAYETTEVILLE.

THURSDAY EVENING, JANUARY 28, 1864.

THE RALEIGH STANDARD.—The Raleigh Standard asserts that "the object of the proposed Convention is *not* to secede, but to protect the rights of the State against the common government, and to aid that government in obtaining an honorable peace." Who can believe this, in the face of the Standard's own emphatic declaration (which it has been very cautious of late not to repeat) that the object was to enable North Carolina to take her own affairs into her own hands, and that if she should do so the key-stone of the arch would be removed and the whole Confederacy would fall? Who, we demand, after such declarations, *can* believe that there is any other purpose than again to put in practice the Standard's old doctrine of secession?

But suppose the purposes to be what the Standard now avows, what are they? To protect the rights of the State against the yankee government? No; but against the Confederate carrying on the war into which the Editor of the Standard voted us, and to which he pledged "the last dollar and the last man"? No, again; not to help carry on that war, while it actually exists; but to aid in obtaining what it calls an honorable peace, but which there is too much reason to believe means a dishonorable and ruinous peace—a peace at the price of subjugation, honor, property and life! And yet the Standard has the effrontery to assert that it has not assailed the Confederate government, and has not favored, in the remotest sense, the despotic government of Lincoln! That despotic government is under obligations to the Standard for many favors. Its Editorials and communications have been caught up and printed by millions at the North, where they have encouraged the yankees as much or more than they have discouraged true men at home. The Standard falsely pretends that we do not represent it correctly. We have from time to time given our readers its own words, (generally copying its articles in full) which is more than it does for us in return. A case in point occurs in the article on which we are commenting: We said, in substance, some weeks ago, that if the Standard's party could do so dishonorable and suicidal an act as to make a separate peace with Lincoln, North Carolina would become a great battle field, and if the yankees should, as they undoubtedly would, attempt to assail the Confederacy through North Carolina, the Confederacy would, as a matter of self-defence, be obliged to keep them off by taking armed possession of the State. Who doubts that? or who could complain of it? It would be a *necessity*, brought on by the treason of the Standard and its coadjutors. But the Standard misrepresents us by giving a part only of what we said.

So much for public matters.

The Standard of the 15th inst. charged the Editors of this paper with having "made fortunes during the war out of the necessities of the people." In the Observer of the 18th we made the following reply:

"Neither they (the agents of the town and county) so far as we know, nor we, have 'an abundance of corn and meat,' nor have they or we 'made fortunes during the war out of the necessities of the people,' or out of anything else. We can speak with certainty as to ourselves, and we are pretty well 'cleaned out' of corn and meat, have not made a cent by speculation, and are at just about the same distance from a fortune as we were at the beginning of the war. We have had abundant opportunities to make a fortune, and a large one too; but have not done it. Some of the causes why we have *not* were explained in prodigious editorial laudations of our patriotism, and liberality, and sundry other good qualities, which appeared in the Raleigh Standard very frequently some months ago. Perhaps the Standard will prove what we say by republishing some of them? As we never publish or republish clever things said of the Observer, we will not, as usual, prove the Standard's present error by an 'elegant extract' from its former sayings. We cannot condescend to such a despicable mode of political warfare, or we might retort in kind upon the Standard. So far as we can judge, few in North Carolina are making so much money as itself, and by what seem to us to be extortionate prices for what it has to sell. But we may not judge correctly, and we do not like to speak of things of which we *know* nothing, nor of any man's private business affairs if we knew all about them. We have never been able to see the propriety of newspaper meddling in such matters. The Standard appears to entertain well settled different views. More than twenty years ago it was falsely assailing this paper in the same manner as now."

Of course the Standard—which very solemnly pledged itself some months ago to copy in full any article of the Observer to which it replied and has persistently and uniformly violated its pledge since—has not copied a word of this. If it had done so its readers would have seen how unjust and untruthful and unsoilled for is the following paragraph which we find in the Standard of the 26th inst:

"The *Observer* is desperate. It intimates, without the slightest excuse for so doing, that we are charging 'extortionate prices' for the *Standard*, and that we are making a fortune out of the war. Our answer is that the price of the *Standard* is twice that of the *Observer*, and that our subscription list is increasing more rapidly than at any former period; and that in our opinion as a printer, the *Observer* is losing money as a newspaper, and the Editors, fearing on account of the unpopularity of their present course to increase the rates of the *Observer*, lest they should lose nearly all their subscribers, are keeping up their establishment out of the profits of their cotton and Kerosene factories. We are making an honest living by hard work, and at prices which our readers cheerfully pay. We have no Kerosene oil at $20 per gallon, or cotton cloth at $4 per yard. If the poor are starving for the want of covering to protect them against the cold, it is a consolation to us to be clear of the temptation to see them suffer if they cannot pay us forty prices for a yard of cloth. It gives us no pleasure to refer to matters of this kind, but the *Observer* threw the first stone by stating what is not true, that we are charging 'extortionate prices' for the *Standard*."

A few words in reply. And 1st, as to the unpopularity of the Observer. We refer the Standard for accurate information to the Postmaster and paper maker here. From them it may gather some facts very unpalatable to itself, and not overly pleasant to us, for we are worked about to the limit of human endurance now. The Observer has *not* been losing money, as the tax we paid last week on its *profits* shows. Its circulation is increasing with great rapidity. It has not indeed been making so much money for our work as it ought. The reason was stated on the 1st inst. We are loth to add a cent to the price of anything, for such additions are injurious in many ways, and we are waiting to see what action Congress may take in regard to the currency. If what we hope can be accomplished an increase of price may be unnecessary. If not, we shall advance rates, though to no such figures as the Standard's, which charges *four* times (not *twice*, as it says) as much as we do, viz: *double* rates for *half* the paper. Of course we know nothing of the condition of the Standard's business. But we are practical printers, bred to the trade at which we have worked in all its branches daily for many years, and now harder than ever before, and we do know that the rates of the Standard applied to *our* large list of subscribers would yield us a net profit of *seventy-five thousand dollars per annum!* We should call that a respectable fortune.

2d, as to Kerosene oil profits. We have never had the good fortune to handle the first cent of profits on Kerosene oil or any other kind of oil. About a year ago, in hopes of making some money and doing a public service by supplying from an unused article a much needed public want, three gentlemen of this place invested some money in an establishment for the manufacture of oil out of black-band iron ore. The thing has been done, and we have no doubt can be done profitably and usefully, but we have not only never received one cent of return, principal or interest, from the capital paid in, but are largely out of pocket in addition; and such are the prospects that only a few days ago the owners were discussing the propriety of abandoning the concern, as very possibly they will. So much for that "fortune." The Standard should inform itself more accurately. Its information seems to have been derived from some ill-informed or unworthy source. We are sorry on our own account that it is not correct, for we have been able to find good use for every dollar that we have made since the war began, and every day brings with it calls upon us to which we should like to be able to respond more fully than we do.

3d. "Cotton cloth [illegible]

[illegible] never sold, bartered, exchanged, or in any way (except as a gift) disposed of cotton cloth. More than a quarter of a century ago we united with a number of gentlemen of this place, Raleigh, Wilmington, &c., in putting up a cotton cloth manufactory. We own stock in it now. Those who control its operations and sell its goods are gentlemen of high character. We have their assurance that the mill has not, by a very large sum, made the per centage allowed by law to manufacturers whose operatives are exempted. Its goods have been sold at 30, 40, 50, 90 and 100 cents until within a few days they have advanced to $1 25—about one-third their market value. These advances have occurred as materials, &c., advanced, just as the Standard advances its rates with the rise of paper, except that we believe the factory has not advanced so rapidly or so greatly (prices of material allowed for) as the Standard has. We hope and believe the mill has done good service in this war to the people and to the State. So thought the Standard when it was true to the cause, a few months ago, when it highly complimented the concern for its liberality and patriotism, and equally complimented us for our agency in influencing its liberal and patriotic course. Such dividends as we have received are based upon sales at the prices named above, paid to us in Confederate notes. We might have greatly increased their value by receiving the dividends in kind and selling at the market price or bartering for provisions for our families. But though said to be *lawful*, we have not thought it *right*, and we take our profits made at the low prices and buy what we eat and wear at the high.

Perhaps it may be well before closing to give the Standard a little more of correct information. In the course of a long life we have seen many schemes for the improvement of the community in which we live, and none of them have been suffered to lag for want of our help. Cotton factories, Kerosine Oil factory, rail roads, plank roads, schools, telegraphs, hotels, in short anything that anybody thought would be a public improvement, we have gone into. And it may save the Standard much trouble to know, that the only two which have ever yielded simple interest upon the investment, are our stocks in one cotton factory and one little plank road. Upon a rough estimate, we should have been richer, if not more useful, if we had kept our earnings from *all* of these investments. At all events, we might have escaped the abuse of those who, like the Standard, *think evil*, attributing everything to a sordid motive. We are not aware that we can retort upon the Standard in this particular, for we have never thought it worth while to inquire whether any of its earnings have ever been similarly invested, and we never heard it accused of aiding any public improvements.

We ask pardon of our readers for troubling them with these private matters. In ordinary times they would not be worth a thought. Nor now, if they were intended to affect us individually. The Standard's mis-statements are manufactured and intended solely to injure the Southern cause, through us as its advocates, and as such they require and have received this correction. That they are mis-statements the Standard is doubtless quite as well aware as we are. Its own files contain the testimony, editorial and official, that its present statements are utterly unfounded. Some of these days, for 'party purposes' the Standard may admit that it made them only for "party purposes," just as some time ago we are informed that it confessed that it used to abuse Gov. Graham, Mr. Badger, Gov. Vance, Mr. Gilmer and many others as untrue to the South, not because they were so, but, for "party purposes."

MOB LAW.—The Raleigh Standard affects to think that the Observer wishes its office mobbed. There never was a greater mistake. This paper has ever been and will ever be the earnest upholder of THE LAW. But apart from that, if we were an advocate of mob law, we should most earnestly deplore mob law against the Standard, for that would place in its possession the much coveted crown of martyrdom. We never heard of the application of mob law without most earnestly condemning it, and never but once without an unmixed feeling of abhorrence. That once was the mobbing by the Standard's "friends"—so the Standard called them—of the State Journal office. In that case, much as we deplored the violation of law and the destruction of individual property, there was a feeling (which evidently pervaded Raleigh and the State and prevented further violence,) that the evils had been somewhat equalized on both sides. It was a great political blunder of the Standard's party, snatching at once the crown of a martyr from the head of its chief, where the Georgia soldiers had foolishly placed it. As such, the Standard's snapping and snarling ever since has convinced us that that paper *too late* recognized it. We fear that its constant talk about mobs and threats of vengeance upon mobbers are only an invitation—a "dare"—for the repetition of the folly of the Georgians. In addition to the better reasons for refraining, let all remember that to mob the Standard office is only to play into its hands. We think it only right to advise the Standard that this talk about mob law comes with an exceeding ill grace from that paper. So far as we know it was the first paper in the Confederacy to threaten those who are for "the Constitution as it is and the Union as it was" with the code of Judge Lynch. When on July 24, 1861, the Standard published the following editorial, we suppose it had not dreamed that it was destined to be the leader of those whom it threatened then with "swift destruction:"—

From the Raleigh Standard, July 24, 1861.

"*The Old Union.*—We concur with the Western Sentinel, that 'no matter how much we may have loved the old Union and the government of the United States, while it was administered according to the Constitution and the laws, the Union is now severed forever, and the government has become an engine of oppression in tyrant's hands.'

"There are traitors to the South in Virginia, Kentucky, and Tennessee, but we trust there are none in North Carolina. If there are let them beware! He that is not *for* the South in this contest is *against* it, and he who would encourage our deadly enemies in the effort they are making to trample us down and destroy us, deserves to die a traitor's death. There can be no half-way ground now. We have been a devoted Union man, but much as we loved the old Union, we love North Carolina more. That Union is dead. It will never revive or be restored. The Confederate States will triumph in this war and establish their independence. If there be any persons in this State who prefer the old Union to the Confederate States, let them leave at once and take shelter under Lincoln's government. If they remain here and plot against the South, they will be visited with swift destruction."

THE JOHNSTON MEETING.—The Raleigh Standard is still more excited and uses uglier language in reference to the resolutions which were written in Raleigh and sent to Johnston. The Standard is fretting itself unnecessarily. We repeat for its benefit that there is not the slightest doubt about the matter. We have in our possession the written statement to that effect of a gentleman of high character who *knew* what he said to be true. Whether the resolutions *adopted* in Johnston were those prepared in Raleigh, of course we do not know. As we suggested last week, a new set may have been prepared after the exposure.

We have no reply to make to the Standard's blackguardism. To be abused by the Standard is prime [illegible] As to ascribe to us very bad motives because we advocate the independence of the Confederacy as the only honorable and sure basis of Peace. We have no intention to follow the Standard's bad example in this respect, but in reply would ask what were its own motives on the 10th August 1861, when in an editorial on the peace question the Standard said:—

"The South cannot make overtures, for she is fighting for existence, and any offer on her part to treat would be considered a sign of weakness and fear. All she asks is to be let alone. She is not let alone as long as the foot of an enemy is on the soil of the Confederate States, and just so long as a single enemy is on her soil just so long will she fight. This is as little as she can do. If she were to offer less to her enemies, or attempt to do less, she would be unworthy of the spirit and manhood of her people."

PLAIN TRUTHS.—The Richmond Sentinel speaks truthfully and manfully in the following brief paragraph. There can be no doubt about it. The war fever at the North (and treason at the South) have their existence only through the last Summer's adverse events to the South. Let but a change take place and put the Confederacy on the winning side, and confidence there and treason here would disappear together, as they came together, and perhaps belong together:—

"It must by no means be supposed that the States now warring upon us, have not felt the weakening and wasting effect of war. The contrary is true; and with all their efforts they will never be able to gather such armies into the field as they have heretofore had, and found ineffectual. They are buying in a large number of their present troops by extraordinary bounties, sugar-coated with furloughs to camp-weary men. But vast multitudes of these have enlisted to desert. The people generally are weary of the war; and their hopes, lately revived, are based far more on our supposed weakness and distraction than upon their own strength. We will take care to show them their mistake. We have only to do our part like men and brothers—we have only to win a success or two, and repulse the yankee onset with our accustomed vigor, to nip all their budding calculations, to put the peace men on their legs, and to send gold still higher up the ladder. It is higher at this moment than it has been since April last. One month of prosperous fortune to us would change the distant North so much that it could scarcely be known as the same. *Unity* among our people, reinforced by victory in the field, will draw almost to our feet in a moment, and in all its glory, the bow of peace which now seems faintly pencilled on the distant cloud. Then let us go to our work with a will!"

YANKEE COMMON SENSE.—The State of New Jersey has shown more good sense upon the subject of abolitionism and the war than any other of the Northern States. The following is an instance:—

"Gov. Parker, of New Jersey, in his annual message, denounces the amnesty and emancipation proclamations of Lincoln. Speaking of the yankee public debt, he says that, according to the most favorable statement, if the war should end now, it is probable that the expenses incident to its close would swell the national debt to over two thousand millions of dollars; that the State, county and city debts will swell the amount to more than the fabulous debt of Great Britain. He says they do not realize their real condition, because they are in the whirl of excitement, and have only begun to feel the weight of taxations. Condemning the war for the abolition of slavery, he says: "Let us be careful lest, in seeking to attain a fancied benefit for others, we do not destroy ourselves. I say fancied benefit, for history informs us of the sad condition of those countries where large slave populations have been emancipated. What is the history we are now making? The fortunes of war, in the advance of our armies, have brought within our lines a large number of slaves, and their deplorable condition is portrayed by trustworthy eye witnesses, who are appealing to our sympathy to aid the unfortunate sufferers. We are told that thousands upon thousand are scattered along the banks of the Mississippi, collected in camps, almost naked, suffering from sickness and exposure, and dying in startling numbers. It is stated that during the last winter, out of four thousand collected in a single city, *twelve hundred died.*"

As to the feelings of the Democrats in the yankee Congress, the New York News says:—

"The fact is that seven-eighths of the Democratic members of Congress are the friends of peace and opposed to the war. This will be made apparent before the close of the session and be more fully manifested in the next National Convention."

CONGRESS.—On Monday nothing of interest in open session of either House.

On Tuesday the House passed the Senate bill fixing the 1st Monday in May as the day of meeting of the next Congress. Dispatches and other information that large numbers Mississippi, Louisiana and Tennessee troops in Lee's and Johnston's armies are re-enlisting for the war were presented in the Senate. Resolutions of thanks to all soldiers who have heroically determined never to abandon the field till the last vandal foe is driven from the soil were unanimously adopted.

The Last Attempt.—With the spring will come the last great struggle of Lincoln to overthrow the Confederacy. His term of office draws to a close, and the gathering elements of opposition warn him that he, at least, may not have much time left in which to finish up the "big job" he so recklessly undertook. Should the approaching campaign give him no material advantage, and should the present Confederate line of defence be maintained in its integrity, he will bequeath to his successor a legacy of embarrassment and difficulty. Should another President resolve to persevere in the insane attempt at conquest, he will find that all the immense efforts that have been made in the last three years have not penetrated to the core of the difficulty, while they have materially diminished and crippled the offensive resources of the North.

So fearful an accumulation of debt in so short a time is unprecedented in the history of nations. Nor does it promise to diminish in vigor of growth in the future.

Rich. Exam'r

ALABAMA.—A subscriber in Pike county writes on the 15th inst.:—

"The winter so far has been very severe in Alabama; we have had nothing like it since the winter of 1855 and 1856. I have seen ice over two inches thick. Oats and a great deal of the wheat have been killed by the cold weather. The quantity of land in wheat I suppose is a hundred per cent more than has usually been sown heretofore."

FOR THE OBSERVER.

The High School Knitting Society thankfully acknowledges the following contributions: $10 from a Friend; 3 prs of socks from Mrs Margaret Hooper; 4 prs from Miss Mag Carmon, and 2 prs from Miss Jane Murchison.

EAST TENNESSEE.

The following extract from a private letter, says the Richmond Enquirer, explains the late movement of our army under Lieut Gen. Longstreet:

"The yankees came up in fine spirits, a few days since, proclaiming as they advanced that they were about to drive Longstreet out of Tennessee. The 4th Army Corps, a part of the 23d, and their entire cavalry force, moved up to a point between Dandridge and Morristown. Our forces were moved down to meet them on the 14th. After placing his infantry, Gen. Longstreet, with his staff, moved on to the front, and, joining the cavalry, personally superintended its movements. The enemy endeavored, by a flank movement with their cavalry, to get into our rear. The quick eye of the General so arranged matters as to throw Jenkins' (late Hodd's) division in their front, and he ordered Gen. Martin to throw a portion of his cavalry in the rear and press them upon Jenkins. Martin gave the order. The enemy, without being pressed, came unexpectedly on Jenkins, and were driven pell-mell, as we supposed, on Martin's cavalry. But, alas! the cavalry, by some mistake, had gone around to the front of the enemy and to the rear of Jenkins, and, of course, the way was open for their escape, of which they took the earliest advantage, and went on their way rejoicing.

"There is something wrong about the cavalry officers. The material is as good as can be desired but the dismen to scatter, straggle and plunder, [illegible] that, instead of a band of chevaliers, fighting for liberty, they have become a loosely organized mass of marauders, and their love of plunder has so far predominated, that the fruits of victory are often lost from the fact the cavalry is plundering when it should be pursuing.

"A striking instance of this occurred in the present movement. Harrison's Brigade was ordered to make a certain movement which promised the successful capture of about one thousand horses from which the enemy had dismounted. The move was made, the horses were actually captured, the men in charge shot down, but, instead of turning back the horses under a sufficient guard, our cavalry became a mob of plunderers, commenced rifling the holsters of pistols, loaded themselves with spoils, and, in the midst of their confusion, a brigade of Federal cavalry dashed in, recovered the horses and scattered our men.

"Had the cavalry been as efficient as it would have been under a leader like Ransom or Hampton, this would have been the last week for Federal forces in East Tennessee. Wherever they met our men they showed that they were utterly demoralized, and dependent entirely on their fleetness of foot for safety. Our infantry could not follow them—the roads are wretched—the snow almost constantly on the ground, and many, many of the men unshod. The infantry did all they went to do—resist the advance of the enemy. The pursuit rested with the cavalry. Had it been led with the dash and boldness that the occasion demanded, the whole Federal force, wagons and all, would have been in imminent peril. As it is, the movement has been full of fruits. We now occupy or control that part of East Tennessee capable of sustaining our army.

"We are at present well fed. The yankees are on half rations, and driven back to the neighborhood of Knoxville; their bill of fare will grow small by degrees and beautifully less, until at last they must retire from this portion of the State.

"Our men are well hutted, in fine spirits, well fed, and, in a few days more, will be well-clothed. After that, if the cavalry will half do its duty, if starvation has not already driven the yankees out, our troops will."

From East Tennessee.—RUSSELLVILLE, Jan. 26.—Our cavalry are still in the vicinity of Knoxville. Their captures during the recent retreat sum up 800 cattle, 500 wagons, two flat boats loaded with crackers, tobacco, &c., and several hundred barrels flour.

Twenty-eight of our wagons were captured on Friday whilst foraging beyond French Broad.

From Mobile.—MOBILE, Ala., Jan. 25.—The Evening News' special correspondent has Northern dates to the 21st. Twelve transports laden with troops, passed down the Mississippi a few days since; also Sherman and his staff. Destination unknown.

MOBILE, Jan. 26.—Banks has ordered an election for members to a Convention to be held on the first Monday in April.

A special dispatch from Como says that Northern dates to the 24th have been received. Another plot to release the prisoners on Johnston's Island by the rebels in Canada has been discovered and two companies of British troops have been sent to Windsor, opposite Detroit.

It is reported that Quantrell with 1500 men is now at Carthage, La., below Vicksburg.

The Florida has repaired and sailed from Brest.

Vera Cruz advices to the 2d inst. have been received. In the fight of Dec. 17th, at Morelia, the French captured 11 cannon and 1000 prisoners. Juarez escaped to Monterey.

The Fort Jackson Emeute.—The first reports of this affair were exaggerated beyond the usual exaggerations which come from the Mississippi. But there was something in it, although of no great consequence to any one. The last that we have seen of it in the Northern papers is given as follows in a letter from New Orleans, dated 12th ult., to the Boston Courier:

Our military authorities have just had a foretaste of the wisdom in trusting important military posts to colored troops, by a revolt at Fort Jackson which the newspapers in this department, "by authority," will inform you was "only an altercation between an officer and some of the men, and soon quieted." I have my information from the lips of the officer in command of that post, the garrison of which consisted of 500 colored soldiers and officers, and 20 white men, (though some of the colored men are as white as some of their white officers,) and so serious had become the revolt that the officers themselves declared that had they attempted to exercise any authority over their command, every white man would have been killed, and the negroes have been in possession of the Forts which cost the United States Government so much of life and treasure, and so many months delay to get into our hands. It has been decided that this regiment of "colored men must be mustered out of the service," in consequence of this altercation between an officer and some of the men.

The New York Times has an account of the mutiny at Fort Jackson. It grew out of Col Beneduct's asking ten negroes coming in from beyond the lines their authority for leaving. They answered insolently, and he, seizing a whip, commenced lashing them, and a revolt ensued. One hundred negroes seized loaded guns and fired on the Union troops wildly, most of the shots ranging too high. No one is reported hurt. The rioters held possession of the camp all day and night. The next day moral force prevailed. The ringleaders were arrested and tried by court-martial. The writer attaches the blame to Adjutant General Thomas, whose indiscreet speeches gave the negroes an exalted idea of their position. An Ohio regiment has been ordered to camp near the fort, to provide against a recurrence of revolt.

Running the Blockade at Wilmington.—A semi-official statement relative to running the blockade at Wilmington, N. C., shows that from January, 1863, to the 23d of October in the same year—ten months—ninety vessels ran into Wilmington. During last August one ran in every other day, making fifteen in that month. In one day, the 11th of July, four ran in, and on the 19th of October last five came safely through the blockaders. At Charleston, during the six months ending in July, 1863, forty-three steamers ran in safely. These facts have been made public in Europe, though it is not at all likely that they will open the eyes of those who are determined not to see.

The Situation.—It is a gratifying feature that our people have acquired a better tone than the feeling of despondency recently infused into them by the reverses in the west. Croakers diminish in number, and the people, albeit not without anxiety, prepare with hope and trust for the coming shock. Better than all, the armies and the generals who are to decide the great cause are buoyant and confident, trusting in that prowess which has vindicated its superiority in every fair field, and unable to believe that the subjection of a people whose exhibitions of civic and military virtue have so signally proved that they are worthy of national life can be written in the Book of Fate.

HIGH PRICES.—Papers at the South are now charging $5 per month for daily, and $2 per month for weekly issues.

SUBSCRIPTIONS FOR THE BENEFIT OF MRS. TUNNELL, OF "BETHEL" MEMORY

We acknowledge the receipt of the following sums for the benefit of this patriotic lady, whose timely warning saved the Bethel Regiment from surprise and probable defeat:

A Father	$100
James Kyle	100
Cash	10
C. P. Mallett	100
C. B. Mallett	100
D. A. Ray	25
A mother who had a son at Bethel	50

Further contributions, from any part of the State, will be gladly received at this office. We have no time to call personally on any one.

FROM LANE'S BRIGADE.

CORRESPONDENCE OF THE OBSERVER.

"LIBERTY MILLS, VA., Jan'y 20.

"In the last Observer I noticed the acknowledgment of a donation of clothes to a company of the 18th Reg't from the ladies of Bladen. I am informed that this is the only donation of the kind ever made to this Reg't. The other Reg'ts of the Brigade have likewise been neglected, while the Reg'ts in climates less severe attributed more than its share to the Bethel, this which North Carolinians have won, in this army and Bragg's, for splendid fighting. Its blanketless and barefooted men (and these are many) are therefore, I think, entitled to the sympathy of all our people and to the benevolence of those who are able to give. The bleak winds and driving rains and sleets which this cold winter has brought with it, would find their way through stouter garments than clothe our piequets, and would benumb the hands and feet of those who wear gloves and shoes. I think it proper to mention these things that you may make an appeal to our Hospital Association and to all the people of our State for aid for the brave soldiers of this command. Blankets and shoes are particularly needed; but other articles of clothing would by no means be an inappropriate contribution."

An association for supplying maimed soldiers with artificial limbs has been organized in Richmond—Rev. Dr. Marshall of Miss. President, and a Vice President from each State, (Hon. George Davis for North Carolina.) $10 constitutes a Life membership. Besides fees for membership, about $20,000 have been given, in sums of $5000 to $100.

Deserters Caught.—The Hendersonville Times of the 21st, says:

The "Transylvania" war is over. That's a fact as big as two counties. We learn that about eighty deserters and recusant conscripts have been picked up in Gloucester, Douthard's Cove, Hog-back, Canada, and the Laurel and Balsam Mountains. This speaks well for Major Bryson and his gallant "militia." They have worked well. If any more deserters are heard of in there, send the Major back, and give him more time. Don't be over hasty in a good work. A few Confederate troops under Capt. Gash and Lieut. Deaver, lent efficient aid.

MARRIED,

This morning, in the M. E. Church, by Rev. Mr. Hudson, Mr. JAMES KENDRICK to Miss MARGARET ANN WALTON, all of this town.

In this town, on the 26th inst., by the Rev. J. J. Prather, Mr. BENJAMIN F. KENDRICK, of Co. B, 56th Reg't, N. C. T., to Miss ANNABELLA BURKLOW, all of this town.

In Greenville, N. C., Monday 25th inst., by Rev. Israel Harding, Lieut. J. H. MYBOVER, of Starr's Light Battery, and Miss MARIA L. GOELET, formerly of Newbern.

On the 14th inst., near Lumber Bridge, by Rev. J. H. Cobb, Mr. ARCH'D McKINNON, of Cumberland, to Miss S. C. COBB, daughter of Col. S. J. Cobb of Robeson.

At the residence of Mrs. Ann Johnson, in Cumberland county, on the 6th inst., by Rev. James McQueen, Rev. JOHN C. SINCLAIR, to Mrs. ANN JOHNSON, all of Cumberland county.

DIED,

In Cumberland county, on Wednesday evening, the 30th Dec. last, Mrs. FLORA ANN LESLIE, widow of Danl. Leslie, dec'd, in the 41st year of her age.

At her residence in Concord, N. C., on the 15th inst., Mrs. ROSALIE A. BARRINGER, wife of Lt. Col. Rufus Barringer, in the 22d year of her age.

In Bladen county, on the 7th inst., of inflammation of the brain, LAURA A. MELVIN, youngest daughter of Mrs. B. A. Melvin, aged 11 years. Thus has passed from earth a lovely flower, fast blooming into youth, one who possessed a mild, gentle and affectionate disposition, which had won for her the love of all who knew her. While sick, though suffering the most excruciating pain, she did not forget the teachings of a christian mother, and often repeated the Lord's prayer. This with other evidences of her piety, assures us that her gentle spirit has winged its flight to that blest abode, there with Angels and Archangels to join in praises around the throne of God. G. F. M.

In Chatham county, 12th inst., Mrs. FANNIE ANN ALSTON, wife of Mr. Junius Alston. For three years she had been in the communion of the church of Christ, and died calmly, conscious of her position, submissive to the will of God, and in the hope of a happy immortality.—Com. Presbyterian copy.

In Moore county, on the 18th inst., of inflammation of the stomach, LAUCHLIN BLUE, son of Dan'l Blue, now in Capt. McKellar's company; who was born on the 3d of March 1861; a sprightly lovely child.

Presbyterian please copy.

Departed this life on Sunday the 3d day of January, 1864, LUCY HALTOM, wife of John Haltom, aged 75 years and 16 days. She was a consistent member of the Baptist church for many years, and we are informed through heavily afflicted for some weeks before her death, she bore it with great fortitude, and in her last moments gave frequent testimony of her expectation of future happiness. She leaves a husband, two sons and five daughters to mourn the loss of a good wife and affectionate mother, though we feel confident that our loss is her gain. Trouble not for those who fall asleep in the arms of Jesus. She cannot come to us but we can go to her. A SON IN THE ARMY.

Killed by a Deserter, in the northern part of this (Cumberland) county, on the 20th inst., DANIEL JAS. COLVIN, in the 47th year of his age. All the circumstances of this lamentable event are most sad and painful. Mr. Colvin was a most excellent and worthy man in every relation of life, a high minded and honorable gentleman, a pure patriot, devoted to the cause of his bleeding and suffering country. He was always ready to go where duty called, regardless alike of his own personal safety or interest. His fidelity to every trust committed to him, his zeal in every good cause in the community, and his efficiency as a member of the Home Guard, made him an object of dread and hatred to the lawless and deserters around him. And on the day of his lamented death it is supposed he fell a victim of this hatred and revenge. He and two others were sent to guard a certain point, when two deserters approached within some twenty paces before either party discovered the other. At the word halt, both parties levied their guns and fired, all but Mr. Colvin, who was shot and instantly died.

In his death the community has suffered an irreparable loss. Mr. Colvin, though not a professor of religion, was a man of unblemished character, exemplary in all his walk, and from the interest manifested on the subject of religion leaves those who knew him best in hopes that he was not unprepared for this solemn and awful change. He leaves a bereaved wife, and two small children.

And here we would venture to suggest the great impropriety of compelling neighbors to arrest neighbors, which is productive of so much evil.—Com.

At his residence, Walkersville, Union county, N. C., September 17th Cap

IN THE MATTER OF ALEXANDER WILLIAMS.

Habeas Corpus from Moore County.

The Petitioner being liable to military service, was drafted in 1862 and furnished a substitute, over 45 years of age. The substitute was accepted, mustered into service for three years or the war, and Petitioner regularly discharged.

The Petitioner is now under arrest by order of the Enrolling officer of Moore county, under the act of Congress approved Jan'y 5, 1864, "That no person shall be exempted from military service by reason of his having furnished a substitute."

Petitioner insists that the Act of Congress is in violation of the Constitution of the Confederate States, and so his arrest is illegal.

"The question whether a law is void for its repugnancy to the Constitution is at all times one of much delicacy, which ought seldom if ever to be decided in the affirmative in a doubtful case. The Court, when impelled by duty to render such a judgment, would be unworthy of its station, could it be unmindful of the solemn obligations which that station imposes. But it is not on slight implication and vague conjecture, that the Legislature is to be pronounced to have transcended its powers, and its acts to be considered void. The opposition between the Constitution and the law should be such, that the Judge feels a clear and strong conviction of their incompatibility with each other. As the Court can never be unmindful of the solemn duty imposed on the judicial department, when a claim is supported by an act which conflicts with the Constitution, so the Court can never be unmindful of its duty to obey laws which are authorized by that instrument."—Marshall, C. J., Fletcher v. Peck, 6 Cranch 87, and U. S. vs. Fisher, 2 Cranch, 390.

The power is denied to the several States; nor which forbids the Legislature of a State to exercise judicial functions; nor which applies to a State law which divested rights, vested by law in an individual, provided its effect be not to impair the obligation of a contract; nor to retrospective laws which do not impair the obligation of contracts or partake of the character of *ex post facto* laws. Evans v. Eaton, 1 Peters' C. C. R. 322; Satterlee v. Matthewson, 2 Peters' R. 413; Watson v. Mercer, 8 Peters' 88; Charles River Bridge v. Warren Bridge, et al., 11 Peters' 539.

So it is not every act which in some view may seem to be a great hardship on the citizen, or against our preconceived notions of right and natural justice, which is against the Constitution of the Confederate States. We could not apply our Declaration of Rights and State Constitution, as a square and level to any and every act of our own Legislature, which might work inconvenience or hardship, or which might seem to be arbitrary legislation; and in considering the *question of law*, whether an act of Congress is in violation of the Constitution of the Confederate States, the great rights secured by our Declaration of Rights and State Constitution are abstract.

"Can the construction of the Federal Constitution depend upon a reference to a State Constitution and by which the act complained of is ascertained to be legal or illegal? By this doctrine, the act, if done in conformity to the State Constitution, would be free from objection under the Federal Constitution, but if this conformity do not exist, then the act would not be free from such objection. This, in effect, would incorporate the State Constitution in and make it part of the Federal Constitution. No such rule of construction exists." Charles River Bridge Co. v. Warren Bridge et al., 11 Peters' 579.

Arguments founded upon hardship will be entitled to great weight when the words of a statute are obscure and open to construction, but can never sanction a construction at variance with the manifest meaning of the Legislature, expressed in plain and unambiguous terms. The argument *ab inconvenientio* is under many circumstances valid to this extent, that the law will sooner suffer a private mischief than a public inconvenience. It is better to suffer a mischief which is peculiar to one, than an inconvenience which may prejudice many. Brown's Legal Maxims, 86. Calder et ux vs. Bull et ux, 3 Dall. 386, Iredell, J. Evans vs. Jordan, 9 Cranch 203.

It has been urged against the act, that it is not only retrospective in its operation, divesting vested rights, but is against another clear principle of justice in making no compensation to the principal for what he has paid to his substitute under the former act, which authorized him to employ a substitute. There is no prohibition in the Constitution against Congress passing laws retrospective in their operation or which may divest vested rights. The words are not to be found in the Constitution nor any synonym for them. It is true that the Constitution of the Confederate States prohibits Congress from passing any "*ex post facto law* or law denying or impairing the right of property in negro slaves;" but whatever may be the general primary etymology of the term *ex post facto*, it is now and has been from a period long anterior to the adoption of the Constitution of the United States, well settled, by legislators, authors and judicial decisions, that it relates to penal and criminal laws, which impose punishments or forfeitures, and not to civil proceedings which affect private rights retrospectively. Watson vs. Mercer, 8 Peters' 8; Calder vs. Butt, 3 Dall. 386; State vs. Bond, 2 Jones 9; Dickinson vs. Dickinson, 3 Mur. 327; Blackstone; Federalist; Elliott's Debates on the Federal Constitution; Kent; Story.

In Satterlee vs. Matthewson, 2 Peters 416, Mr. Justice Johnson says, "The whole of this difficulty arises out of that unhappy idea that the phrase *ex post facto* in the Constitution of the United States was confined to criminal cases exclusively, a decision which leaves a large class of arbitrary legislative acts without the prohibition of the Constitution." Whatever may be the effect of the decision—"*ita lex scripta est*"—an additional argument might be drawn, if one were needed, to show its admitted restricted application, in the security which is now specifically given to property in slaves, against legislation by Congress, by the clause above quoted from the Confederate Constitution, sec. 9. cl. 4: "No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves, shall be passed."

"Principals" and others will say, that it would have been but justice in Congress to restore the amount, or some portion, which was paid to substitutes under the act which gave them authority to employ them, or to make some compensation for what is lost to them by the act in question; but this view, though perhaps an equitable one, cannot have a controlling influence. In the U. S. vs. Schooner Peggy, 1 Cranch 103, Marshall, C. J., says, "It is true that in mere private cases, between individuals, a Court will and ought to struggle hard against a construction which will, by a retrospective operation, affect the rights of parties; but in great national concerns, where individual rights, acquired by war, are sacrificed for national purposes, the contract (referring to the Treaty between France and the U. S. in 1801) making the sacrifice, ought always to receive a construction conforming to its manifest import; and if the nation has given up the vested rights of its citizens, it is not for the Court, but for the Government, to consider whether it be a case proper for compensation. In such a case, the Court must decide according to existing laws; and if it be necessary to set aside a judgment, *rightful when rendered*, but which cannot be affirmed but in violation of law, the judgment must be set aside."

"The Congress shall have power to raise and support armies. To make rules for the government and regulation of the land and naval forces." And "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the government of the Confederate States or in any department or officer thereof." Sec. 8, cl. 12, 14, 18, Constitution Confed. States. "The government of the Union is a government of the people, it emanates from them; its powers are granted by them, and are to be exercised directly on them and for their benefit. The government which has a right to do an act, and has imposed on it the duty of performing that act, must, according to the dictates of reason, be allowed to select the means. If the end be legitimate and within the scope of the Constitution, all the means which are appropriate, which are plainly adapted to that end, and which are not prohibited, may constitutionally be employed to carry it into effect. The degree of its necessity is a question of legislative discretion, not of judicial cognizance." Calder et ux. vs. Bull et ux, 3 Dall. 386, Iredell, J.

Legislative power is the life principle which directs the operation of civil authority. "The Congress shall have power" &c., not one Congress, but every Congress, to exercise this sovereign power—to make all laws which shall be necessary and proper for carrying into execution the granted powers. If one Congress can by legislation on a great national subject, control the action of the next Congress on the same subject, it can do so *in perpetuum*, and thus the express power granted to *the Congress* to make all laws which shall be necessary and proper for carrying into execution the granted powers, becomes a dead letter.

This principle of the sovereignty of legislation is now settled in a legislative maxim. "Acts of parliament derogating from the power of subsequent parliaments, bind not. Because the legislative, being in truth the sovereign power, is always of equal, always of absolute authority; it acknowledges no superior upon earth, which the prior legislature must have been, if its ordinances could bind a subsequent, by taxation or otherwise, to retard, impede, burden or in any manner control the operation of the Constitutional laws enacted by Congress, to carry into execution the power vested in the general government." Marshall, C. J., Fletcher & Peck, 2 Peters 308.

Suppose Congress were to pass an act suspending the privilege of the writ of Habeas Corpus, so far as it might affect the act in question, until forty days after the next session. At the next session, should Congress deem it necessary and proper to repeal the act, and should repeal it, and a Judge were to issue the writ, as he is required to do, in vacation, under a penalty of two thousand five hundred dollars, could the military department of the government claim that there was a vested right in that department until the law should expire by limitation?

In the case of West River Bridge Co. v Dix et al, 6 How. 530, the Supreme Court of the U. S. held that the right of eminent domain, one of the sovereign attributes of government, and essential to its preservation and the proper performance of its functions, is paramount to the rights of private property, and not only the property, but the franchise of a corporation was held subject to its exercise. The right of eminent domain is certainly not more important and essential to the existence of government and the proper exercise of its powers, than the right to raise and support armies and to make all laws which shall be necessary and proper for carrying into execution this power in a time of war, when the very existence of the government, the liberty and lives of the citizens, are at stake. In State v Matthews, 3 Jones, 451, the Bank of Fayetteville was authorized by its charter, 1848, to issue one dollar notes. A subsequent act of the Legislature, 1854, prohibited the circulation of such notes. Pearson, Judge, in delivering the opinion of the Court, says, "Is authority to issue small notes conferred by the charter, as a part of the essence of the contract, with the intention that it should be subject to such limitation as the Legislature might at any time thereafter deem expedient to make for the purpose of regulating the currency of the State? This is a mere question of construction, and a plain statement seems sufficient to dispose of it. It is consequently unreasonable to suppose that the General Assembly, admitting that it has the power, would alien or surrender and make subject to any individual or corporation, a portion of its sovereignty, and thereby disqualify itself from doing that, for which these ample powers are conferred on it. It follows that to establish a contract on the part of the Legislature to relinquish any of its powers, plain and unequivocal words must be used. In looking over the statute by which the Bank is incorporated, we find authority to issue notes given in general terms; and although it may be inferred that it was then the policy, or rather that there was no purpose not to allow the issuing of small notes at that time, yet there is nothing which can be fairly construed as a contract on the part of the State not to change the policy and afterwards prohibit their issue and circulation. There is no pledge to this effect. There are no words of contract used, and in fact no words, which, by the utmost ingenuity and straining, can be made to imply a contract on the part of the Legislature, that it will not at any time regulate the currency, so as to prohibit the issuing and circulation of small notes."

In 1650 the Legislature of Massachusetts granted to Harvard College the "liberty and power" to dispose of a ferry by lease or otherwise from Charlestown to Boston, passing over Charles River. Under the grant, the College continued to hold the Ferry by its lessees and receive the profits until 1785, when the Legislature incorporated a company to build a bridge over Charles River where the Ferry stood, granting them tolls, the company to pay to Harvard College two hundred pounds a year during the Charter, for forty years, which was afterwards extended to seventy years. The bridge was built under this charter, and the corporation received the tolls, always keeping the bridge in order and performing all that was enjoined on them to do. In 1828 the Legislature incorporated another company for the erection of another bridge, the Warren bridge, over Charles River, commencing near where the Charles River bridge commenced and terminating in Boston about 800 feet from the termination of the Charles River bridge. They were authorized to take tolls for a few years and it is now become free. Travelers who formerly passed over the Charles River bridge, now pass over the Warren bridge, and thus the Charles River bridge Co. are deprived of the tolls they would otherwise have received. The value of the franchise granted by the act of 1785 is now entirely destroyed.

This case, The Charles River Bridge vs. the Warren Bridge, 11 Peters 420, was argued before the Supreme Court of the U. S. by those great legal luminaries, Mr. Webster for the Plff, and Mr. Greenleaf for the Dfts.

Mr. Webster insisted upon two points: 1st, That by the grant of 1650 Harvard College was entitled in perpetuity to the right to keep a ferry between Charlestown and Boston; that the right was exclusive, and the Legislature had no right to establish another Ferry on the same line of travel, because it would infringe the rights of the College and those of the Plaintiffs under the Charter of 1785. 2d. That the true construction of the acts of the Legislature of Massachusetts granting the privilege to build a bridge necessarily implied, that the Legislature would not authorize another bridge, and especially a free one, by the side of the Charles River bridge, so that the franchise which they held would be of no value; and that this grant of the franchise of the Ferry to the College, and the grant of the right of pontage to the proprietors of the Charles River bridge, is a contract which is impaired by the law authorizing the erection of the Warren bridge. In the course of his argument Mr. Webster says, "The counsel for the Defendants have said that the Plaintiffs have sustained no loss but that of their golden prospects. They have lost all their property; a property worth three hundred thousand dollars before the new bridge was built, and now not worth thirty dollars. The rights of the Plaintiffs are no monopoly. They are the enjoyment of the property for which they had paid in advance, and which by a contract, made by the law, they were entitled to enjoy for twenty years yet to come. They claim to hold what they have purchased. Those who have assailed this property have taken it from them; have taken all from them without compensation. This presents the question whether the Constitution of the United States has been violated? There is no other issue made on this record. The Plaintiffs do not seek to interrupt the progress of improvements, but they ask to stay revolution, a revolution against the foundations on which property rests; a revolution which is attempted on the allegation of monopoly; we resist the clamor against legislative acts which have vested rights in individuals on principles of equal justice to the State and to those who hold those rights under the provisions of the law. The erection of the bridge was an undertaking of great hazard, and the result of the effort to construct it was considered exceedingly doubtful. It cannot, therefore, be supposed that the franchise was to be diminished, and its enjoyment to be limited. Nothing of this is expressed, and nothing so unreasonable can be implied."

Mr. C J. Taney, in delivering the opinion of the Court says: "This act of incorporation is in the usual form and the privileges such as are commonly given to corporations of that kind. It confers on them the ordinary faculties of a corporation, for the purpose of building the bridge, and establishes certain rates of toll, which the Company are authorized to take. This is the whole grant. *There is no exclusive privilege given to them over the waters of Charles River, above or below the bridge. No right to erect another bridge themselves, nor to prevent other persons from Erecting one. No engagement from the State that another shall not be erected, and no undertaking not to sanction competition, nor to make improvements that may diminish the amount of their income. On all these subjects the Charter is silent.* While the rights of private property are sacredly guarded, we must not forget that the community also have rights, and that the happiness and well being of every citizen depends on their faithful preservation. It is very clear, that in the form in which this case comes before us, being a writ of error to a State Court, the plaintiffs in claiming under either of these rights [the points made by Mr. Webster,] must place themselves on the ground of contract, and cannot support themselves upon the principle that the law divests vested rights. It is well settled by the decisions of this Court, that a State law may be retrospective in its character and may divest vested rights, and yet not violate the constitution of the United States, unless it also impairs the obligation of a contract. In 2 Peters, 413, Satterlee vs. Mathewson, this Court, in speaking of the State law then before them and interpreting the article in the constitution of the United States which forbids the States to pass laws impairing the obligation of contracts, uses the following language: "It (the State law) is said to be retrospective, be it so. But retrospective laws which do not impair the obligation of contracts, or partake of the character of *ex post facto* laws, are not condemned or forbidden by any part of that instrument," (the constitution of the U. S.) and in another passage in the same case the Court say, "the objection, however, most pressed upon the Court, was, that the effect of this act was to divest rights which were vested by law in Satterlee. There is certainly no part of the constitution of the U. S. which applies to a State law of this description; nor are we aware of any decision of this or of any Circuit Court, which has condemned such a law upon this ground, provided its effect be not to impair the obligation of a contract. The same principle [illegible] by the Court, it is true that this Court has no right to pronounce an act of the State Legislature void, as contrary to the Constitution of the U. S. from the mere fact that it divests antecedent rights of property. The Constitution of the U S. does not prohibit the States from passing retrospective laws, generally; but only *ex post facto laws*." The object and end of all government is to promote the happiness and prosperity of the community by which it is established; and it can never be assumed, that the government intended to diminish its power of accomplishing the end for which it was created. A State ought never to be presumed to surrender this power, because, like the taxing power, the whole community have an interest in preserving it undiminished. The continued existence of a government would be of no great value, if by implications and presumptions, it was disarmed of the powers necessary to accomplish the ends of its creation; and the functions it was designed to perform, transferred to the bands of privileged Corporations."

Here is a much stronger case from our own Supreme Court: In McRae v Wilmington and Raleigh R. R Co., 2 Jones 186, under an act of Assembly in 1776, Herron, under whom the plaintiff regularly claimed, was authorized to erect and keep up a toll bridge over the North East Branch of the Cape Fear, and it was expressly provided in the Charter that "*it shall not be lawful for any person whatever to keep any ferry, build any bridge, or set any person or persons, carriage or carriages, cattle, hogs or sheep, over the said river, for fee or reward, within six miles of the same, under a penalty of twenty shillings for each and every offence.*" The bridge was erected within the time prescribed and kept up a toll bridge. Here is an "exclusive privilege given to them over the waters of" the North East Branch of the Cape Fear, within six miles "above and below the bridge." Here is the right to erect a bridge, and "to prevent other persons from erecting one," within the limit. Here is "an engagement from the State that another shall not be erected." And here is "an undertaking not to sanction competition" nor any thing else "that may diminish the amount of their income." "On all these subjects the charter is" express. The Railroad Company, by virtue of its charter, granted in 1833, erected a bridge as part of the Railroad, over the North East Branch of the Cape Fear, within six miles of the bridge site of the Plaintiff. Judge Pearson, delivering the opinion of the Court says, "The first question is, was the meaning of the parties, and, of course, the scope and operation of the contract confined to the ferries, bridges and other modes of setting persons and property over the river at the time known and in use? Or was it the meaning of the parties, and was it in their contemplation, to confer upon Herron, his heirs and assigns, a perpetual monopoly of setting persons and property over the river, by means of his bridge, so that it should never thereafter be in the power of the Governor, Council and Assembly, *no matter what might be the change in the condition of things*, either in reference to the increased necessity for transports across the river, or the improved modes of transportation, to authorize any other mode of crossing the river? We should hesitate long before bringing our minds to the conclusion that the latter is the true construction of the contract; because it was unreasonable upon the part of Herron, in consideration of the services that he was to perform, to exact any such stipulation, and because it was unreasonable that the Governor, Council and Assembly, in consideration of building a bridge, to confer a perpetual monopoly and take from themselves and their successors, *for all time to come*, the power of doing that for which all Governments are organized—promoting the general welfare *by adopting such measures as a new condition of things might make necessary*, and taking advantage of such improvements and inventions as after ages might originate, for the benefit of the public; in other words, *it is unreasonable to suppose that they intended to surrender the means, by which they and their successors might thereafter be enabled to effect the purpose for which they were created and formed into a government.*"

I regard these cases as the exponents of the principle involved in the question now presented, and as by them it is decided that the respective acts of the Legislatures of the States, brought in question, are not in violation of that clause of the National Constitution which *expressly* prohibits the States from passing laws impairing the obligation of contracts; and as the Constitution of the Confederate States *does not expressly* prohibit Congress from passing any such law, so I conclude, *a fortiori*, from the principles evolved, that the Act of Congress in question is not in violation of that instrument.

Upon consideration it is ordered and adjudged, that the Petitioner, Alexander Williams, be remanded to the custody of Captain N. Currie, and that the Petitioner pay the costs of this proceeding, to be taxed by the Clerk of the Superior Court of Moore County.

R. S. FRENCH, Judge S. C. L. & Eq.

Lumberton, Jan'y 29, 1864

FOR THE OBSERVER.

Died at his father's residence in Montgomery Co, N C, June 12th, 1863, in the 23d year of his age, John Milton Crawford, a member of Co. G, 14th N C. Reg't. Thus has fallen one so young and promising in the opening bud of manhood. Milton was a good and generous young man, was admired and beloved by all his acquaintances. He was oftimes complimented for his morality and pious deportment. He served his country for nearly ten months; was captured by the enemy at Sharpsburg, and remained with them more than three months, during which time he suffered much from sickness; before he finally recovered he hastened to rejoin his companions, where he was always ready to obey orders. In the memorable battle of Chancellorsville he received a severe wound in the right arm, it was amputated and he was conveyed to Richmond, where he took the typhoid fever; he bore itself with much patience, with a smile on his countenance, seeming to be resigned to the will of God. His father on hearing the sad fate of his son, went immediately after him and brought him home, where he survived only a few days. Milton in early life sought and found the pearl of great price; he joined the church at the age of fifteen, and lived up to the duties of a meek and humble christian, and died a true soldier of the cross.

Dear Milton, thou hast suffered
By this fierce and cruel war,
But thy conflicts now are ended,
Thou canst feel its pangs no more.
Thou hast heard the cannon's rattle,
Thou hast seen the wounded fall;
In Chancellorsville's bloody battle
Thou wast pierced by a fatal ball.
Fond parents, weep not for thy son,
His sufferings now are o'er;
He has fought his battle, the victory won;
And is now on Canaan's happy shore.
In the bright—bright courts of heaven,
A portion he doth share;
By sin it is not blended—
No fear of war is there.
Dear Milton, thou art happy now,
Thy soul from anguish free;
Thou art in that lovely dwelling
Where thy spirit longed to be.

COUSIN M.

Bank Stock for Sale.

APPLY to A. McLEAN
Nov. 23, 1863. 33-tf

BUSINESS BEFORE CONGRESS.

Congress is now most earnestly engaged with the various measures, military and financial, which the crisis so urgently demands, and they will be issued in the form of laws at a very early day. The military bill, passed by the Senate Saturday last, is now before the House. Its provisions have not been given to the public, but I will make a guess at them and lay a small wager for its correctness.

It is understood that the bill extends the conscription age to all able bodied citizens under fifty-five years of age and over eighteen; those over forty-five to be employed in home duties, such as the Quartermaster and Commissary departments, enrolling officers, provost guards for towns and cities, guards for railroad lines and bridges, and such like employments; those now engaged in them to be transferred to active duty in the field, together with all persons enrolled under forty-five years of age. The exemption list is enlarged upon that originally reported to the Senate by the Committee. It embraces ministers of religion in charge of regular congregations, physicians thirty-five years of age and over, who have been seven years in regular practice, teachers of established schools of twenty scholars, one editor to each newspaper published prior to the 16th of April, 1862, together with such journeymen printers as he will swear are absolutely necessary for keeping up his journal (book keepers, mail clerks, reporters, engineers and pressmen are not included in the bill as it stands); one shoemaker to every three hundred inhabitants, to be over forty five years of age and selected by the county courts. These are all the special exemptions as may be required by the absolute necessities of the community. The bill will likely pass the House without any material change.

The House impressment bill, which seeks the repeal of the odious features of the old law, was before the Senate yesterday and discussed in open session. Mr. Wigfall made a speech. His idea was to dispense with all appraisers and all present payments for produce necessary for the support of the army, as the present system, owing to the embarrassed condition of the currency, would evidently bankrupt the country and break down the cause, when everything would go by the board. Confederate notes were so depreciated that the planters did not want them, and refused to sell at all except at a fabulous price, and the matter would be but little bettered by the intervention of appraisers. He proposed that the officers of the Government seize such surplus products as may be necessary for the support of the army, giving in each case a certificate stating quantity and quality, and binding the Government to payment *after the close of the war*. He argued that it would save millions to the Government, relieve the treasury from an immense burthen, dispense with the necessity for any great addition to Confederate notes now in circulation, and at the same time be far better for the planter himself, for he would receive his compensation in a currency based on specie, and not in the present depreciated paper. The plan was adopted in the last war with England, worked well, and neither the statesmen nor the demagogues of that day discovered anything unconstitutional about it. If the planters could thus cheerfully come to the aid of their Government when only *honor* was at stake on the contest, he felt assured they were equally patriotic and would do it now in a war where liberty itself depended on the result. The whole matter was laid over until to-day.

Editorial Cor. Savannah Republican.

The Crisis.—Dr. Elliot, the patriotic Bishop of Georgia, in a late sermon preached in Savannah, exhibits the alternative before us, in a few sentences pregnant with all the fire of a prophet and patriot. These are, indeed, words that burn:

"Forward, my hearers, with our shields locked and our trust in God, is our only movement now. It is too late to go backward. We might have gone backward a year ago, when our armies were victoriously thundering at the gates of Washington, and were keeping at successful bay the Hessians of the West, had we been content to bear humiliation for ourselves and degradation for our children.

But that is no longer left us. It is now victory or unconditional submission; submission not to the conservative and Christian people of the North, but to a party of infidel fanatics, with an army of needy and greasy soldiers at their backs. Who shall be able to restrain them in their hour of victory! When that hour approaches, when the danger shall seem to be over, and the spoils ready to be divided, every outlaw will rush to fill their ranks, every adventurer will rush to swell their legions, and they will sweep down upon the South as the hosts of Attila upon the fertile fields of Italy. And shall you find in defeat that mercy which you did not in victory?

You may slumber now, but you will awake to a fearful reality. You may lie upon your beds of ease and dream that when it is all over you will be welcomed back to all the privileges and immunities of citizens, but how terrible will be your disappointment! You will have an ignoble home overrun by hordes of insolent slaves and rapacious soldiers. You will wear the badge of a conquered race. Pariahs among your fellow creatures; yourselves degraded, your delicate wives and gentle children thrust down to menial service, insulted, perhaps dishonored.

Think you that the victorious hordes, made up in the larger part of the sweepings of Europe, will leave you anything? As well might the lamb expect mercy from the wolf. Power which is checked and fettered by a doubtful contest is very different from power victorious, triumphant and irresponsible. The friends whom you have known and loved at the North, who have sympathized with you in your trials, and to whom you might have looked for comfort and protection, will have enough to do then to take care of themselves. The surges have to sweep over us and will carry them away in its refluent tide.

Oh! for the tongue of a prophet, to paint for you what is before you, unless you repent and turn to the Lord, and realize that "His hand is upon all them for good that seek him." The language of Scripture is alone adequate to describe it: "The earth mourneth and languisheth, Lebanon is ashamed and hewn down; Sharon is like a wilderness. They that did feed delicately are desolate in the streets; they that were brought up in scarlet embrace dunghills. They ravished the women of Zion and the maids in the cities of Judah. They took the young men to grind. The joy of our heart is ceased; our dance is turned into mourning. The crown is fallen from our head; woe unto us that have sinned!"

An Attack on Mobile.—Apprehension exists at Mobile that the city is threatened with an early attack by the enemy. In conjection with the statements of late United States papers that a "secret expedition left New Orleans on the 30th of December to operate against Mobile," and that an intrenched camp is to be established at Paseagoula, "to facilitate operations when the rainy season ends," the Mobile Tribune says information has been received that extensive operations are on foot at Ship Island. Heavy transports have passed along the Atlantic coast southward, for some destination not stated. Whatever may be the enemy's intentions, we are pleased to learn that if they are resisted with tolerable spirit no doubt is entertained of their repulse.

Atrocities of the Enemy in North Alabama.—A Colonel, and for the last campaign, a Brigade commander, furnishes the following facts, which stamp with eternal infamy, the atrocious conduct of the enemy in North Alabama.

About twenty-five Yankees, headed by one Ben Harris, a tory from Madison county, crossed the Tennessee River into Beech Island, and captured Benjamin Raden, an old man, his son, his nephew James Raden and his son, and another man whose name is forgotten—all private citizens—and shot them, killing four dead, and threw them into the river, three of whose bodies were afterwards found. The fifth caught hold of some bushes when Harris ordered them to cut his head off with their sabres, which they attempted, but could not reach him; he then ordered them to knock his brains out with a fence rail, and failing in this, they fired two guns, and he dropped his head in the water as if dead, and the fiends supposing him dead, departed. The same crowd went to the house of Madison Ritchie, the conscribing officer, and took him out of his bed and drove him in front of them some two or three miles to Paint Rock River, and made him wade in about midway and shot him, putting seven balls through his body. These were all unoffending citizens. Benjamin Raden was an old man, sixty-three years old.

They hung an overseer—who had formerly taken the oath to Lincoln—his sole offence consisting in assisting his employer to get his stock across the river. They put a notice on the tree—that it would be death for any one to take his body down.

They went to P. Rallins, formerly a Captain in ~~Stonewall's Regiment~~, who had resigned in consequence of ill health, and demanded of him five thousand dollars—giving him ten minutes to cross the Tennessee River and threatening to hang him and leave him hanging till the buzzards should pick his eyes out, if he ever returned. They have issued an order for all to take the oath, or leave their lines.

Such are a few of the many atrocities these Yankee fiends—the representatives of "the best Government the world ever saw," are inflicting on the people of North Alabama.

Richmond Whig.

Yankee Vandalism.—The desperate wickedness of the yankees, and their disregard of the opinions of the civilized world, is fully and fairly illustrated in their bombardment of the city of Charleston. They can offer no excuse or justification which will be received by the world, for such wanton and unnecessary vandalism. It bears upon it too plainly the impress of spite and malignity. Failing to reduce the defences around the city, after six months of continuous and zealous effort, and despairing of ever obtaining a foothold, they now point their batteries at Charleston, and with devilish malice hurl their redhot shot and their Greek-fire at private property, and non-combatant citizens. In the history of the world there has been no such instance of unrestrained malignity. The bombardment of Copenhagen by the British fleet, is the nearest approach to a parallel case, but even that was done for a purpose, while the conduct of the yankees at Charleston has not about it one single palliating circumstance. They are trying to batter and burn the city, because they cannot take it. If they succeed in levelling it with the earth, it will not advance their military programme a single inch. It is true,

"It will feed their revenge,"

and that is the only object they now have in view. But the contempt and execrations of civilized man will follow them, and impartial history will revenge itself upon them, and vindicate the manhood of our race, by consigning the dastards to the infamy their villainy so richly deserves.

Chattanooga Rebel.

Battle's Brigade.—Among our gallant soldiers who have promptly come forward and renewed the pledge of their lives, if need be, to defend our sacred cause as long as the public exigencies require it, is Battle's (formerly Rodes,') Brigade of Alabama veterans, of the Army of Northern Virginia. This action on the part of our gallant defenders, who have voluntarily re-enlisted, is indeed like the bursting of the rays of the sun through a dark cloud; and those who are at all conversant with the spirit which has sustained them through the hardships of the long and weary march, the bivouac and the dangers of the battlefield for three long tedious years, without hope of reward, save the achievement of our independence and the gratitude of their country, are not surprised at this fresh and most cheering manifestation of it.

Richmond Whig.

Yankee colors.—As the yankee army is half white and half black, it cannot be denied that they, at least, go *out* of a fight with all their colors *flying*.

NOTICE.

PERSONS in this vicinity who have not been heretofore vaccinated, are required at once to be vaccinated, by order of the Commissioners. Dr. W C McDuffie is the vaccine agent for Cumberland county.

A. McLEAN, Mayor.
Jan'y 25, 1864 1-2t

I will open a School on Harrington Hill on the 1st of Feb'y. Terms $15 per quarter of 10 weeks.

JOHN GRAHAM.
Jan'y 28 1-2tpd

A SITUATION WANTED.

BY a young man who can give the best of references as to character and scholarship. Apply immediately, state salary, and address TUTOR,
Carthage, N. C.
Carthage, Jan'y 25. 1-2tpd

TEA SEED,

FROM THE
GENUINE CHINESE TEA PLANT,

Grown in the open ground, within three miles of Fayetteville, without any protection from cold or heat, rain or drought!

THE Plants which produced these Seed can be seen at Mr. James M. Smith's residence near this place.

THE FLAVOR OF THE TEA IS EQUAL TO THE BEST IMPORTED!

Plant until 1st April in rich or good land, three seeds in a hill, one inch deep, seven feet each way and keep clean during the whole year.

For sale by S. J. HINSDALE.
Jan'y 26. 1-5tpd

WANTED,

TWO WIVES—that is, a wife for each of us whose names are subscribed below. One must be twenty-nine years old, and fond of all domestic duties. One who was given to milking the cows and feeding the chickens in early youth, and who is not ashamed of it now, preferred. She must have red hair and blue eyes. If her temper be rather sharp so much the better. She must be inclined to be strong, and fond of all sorts of display—one who delights in going to the theatre and all public amusements where ladies are expected. The other must have black hair and eyes, soft, tender and insinuating. Must never have seen a cow or chicken only as steak and fricasee. She must be fond of music, books and dancing. If given to innocent flirtations so much the better. Age 14. If there be two such ladies who wish to marry two honest, upright soldiers, let them address

HEAVY-DOGGE & LIGHTFOOT,
Starr's Light Battery, Greenville, N. C.
Jan'y 25. 1-2tpd

AVON E. HALL,
Forwarding & Commission Merchant,

WILL give quick despatch to goods consigned to him. Particular attention given to all produce sent him for sale. Consignments of Naval Stores, for sale or shipment, solicited.

Wilmington, Jan'y 19, 1863 93tf

WAR NEWS.

From Northern Virginia.—ORANGE C. H. Jan. 28.—Capt. Strother, 4th Va. Cavalry, captured 12 Yankees, near James city, Madison county, on Tuesday evening, together with three teams, equipments and horses.

Weather very warm, temperature being at 65 in the shade. Roads in fine condition.

From the Southwest.—COMO, Miss., Jan. 26.—Col. Jeff. E. Forrest has captured Island 60, and all the negroes and managers, killing 15, and destroying the oxen and wagons. The mules and negroes have arrived here.

Scouts report the evacuation of Corinth. The yankees blew up the fortifications and fell back in the direction of Memphis. Fort Pillow is reported to be evacuated.

The transports and troops that went down the river are reported in the Yazoo river.

Home Guards Captured.—DALTON, Jan 26.—Two Regiments of yankee cavalry made a dash on Summerville, on the 22d, capturing some thirty home guards and returning without loss or damage.

The yankees on the Chowan.—On Thursday last, two yankee gun boats ascended Chowan river as far as Harrellsville, in Hertford county. About 300 men landed and marched up into the village, burned several houses and destroyed about 10,000 pounds of government bacon which had most imprudently been allowed to remain there. They also robbed many private houses, carried off ten or twelve mules and killed some that they could not get away. As they were returning to the gunboats, some of our cavalry came upon them, killed several of them and wounded [illegible] of our men was wounded (slightly.) Harrellsville is about two miles from Chowan river, and about twenty miles below Murfreesboro'.—*Pet. Express.*

Raid on Lower Brandon.—Through a gentleman from the vicinity, we have some entirely reliable particulars concerning the recent raid upon the Lower Brandon estate, James river, which was referred to in the Express of yesterday.

The enemy came up James river, Sunday night, bringing with them three transports and two gunboats. They had two full regiments, infantry, and two companies of cavalry. The expedition was commanded by Gen. Graham. During Sunday night, they landed two companies of infantry at a remote point above Brandon. The companies were piloted through the woods by the negro blacksmith at Brandon, a very intelligent fellow. By making a circuit they got in the rear of our signal station at Brandon, and came upon our men Monday from the direction of Brandon Church, thus rendering escape impossible. Out of eight men employed at the station, but one escaped, who secreted himself in a thicket. The enemy also captured Dr. Robert Ritchie, a brother of Mrs. Harrison, the owner of the Brandon estate, and the two overseers, Messrs. Cox and Simmons. They destroyed all the corn, (some two thousand barrels) a large quantity of seed wheat, oats, shucks, fodder and flour. All the out buildings of every description were burnt, and all the negroes, horses and mules, carried off. The dwelling was entered, all the wines and liquors appropriated, and the furniture generally demolished.

It is generally believed that the enemy contemplated a very extensive raid, but that they received information which changed their plans.

Lower Brandon was one of the few estates which escaped molestation when the enemy under McClellan, devastated that section in 1862.

Petersburg Express.

From Tennessee.—A special despatch to the Montgomery Advertiser, from Dalton, says:

Gen. Forrest is doing good service. He had whipped the enemy at LaGrange, Collierville and Germantown. Young men were flocking to his command from all quarters. There is a large force in West Tennessee ready to join him. The prospects are bright for the spring campaign. Roddy's command, near Tuscumbia, Ala., is reported to be in splendid condition for service. The enemy are compelling all citizens to leave Huntsville who refuse to take the oath of allegiance to the United States.

Re-enlistment of Johnston's N. C. Brigade.—RICHMOND, Jan. 28.—Johnston's Brigade of North Carolina troops, Army of Northern Virginia, have re-volunteered for the war.

Prisoners.—At the Libby yesterday, a number of yankee prisoners were admitted from East Tennessee. Upwards of one thousand prisoners have been received from that quarter since the movement of Gen. Longstreet's army from Knoxville. The whole number in Richmond and Danville is nigh on to fifteen thousand.

Richmond Examiner.

Reported Destruction of Towns in Tennessee.—A report has reached us, says the Appeal of the 22d, to the effect that the towns of Jackson, Huntingdon and McLemoresville, in West Tennessee, have been burned by the Federal forces. This, as is supposed, has been done in revenge for the welcome reception tendered by the people there to Gen. Forrest.

From the North.—The New York Herald of the 23d January contains no item of news of the least interest except that gold in that city is worth 157½. The Herald of the 26th reports it unchanged.

Foreign dates are to the 10th Jan'y. "The Holstein question" had a threatening look, and 60,000 German troops are collected on the borders of that Duchy. The Princess of Wales has a son.

Another Steamer In.—Another steamer, laden with government freight, says the Mobile Register of the 13th, has slipped into port. The blockaders saw her and tried to cut her off, but she had too much heels for them. She is called the Donbigh, and is made of iron and is a "good one to go." She comes to a well known house in Mobile to which she belongs.

The Confederate Finances.—A communication from the Secretary of the Treasury, covering statements from the Register of the Treasury, in response to a resolution of the Senate, was laid before that body Monday. According to Mr. Tyler's statement, the Confederate debt is about as follows:

Funded debt	$297,871,650
Call certificates	89,206,770
Interest bearing Treasury notes	102,465,450
Non interest do do	720,898,095
Total	$1,210,441,965

Election in Orange.—Gov. Vance has ordered an election to be held in Orange county, on the 18th of March, for a Senator to fill the vacancy occasioned by the resignation of Gov. Graham.

Fire.—We regret to learn that the barn of Mr. Clement Smith, eight miles west of this place, was burnt on Wednesday last, at noon. The barn was a new well-finished building, and contained a heavy quantity of grain, forage, &c., the loss being estimated at $10,000. Supposed to be the work of an incendiary.—*Greensboro' Patriot.*

White Shads.—The first pair of white shad caught in the Cape Fear, which have made their appearance in our market, were off

OBSERVER.

FAYETTEVILLE.

MONDAY EVENING, FEBRUARY 1, 1864.

THE WAR IN NORTH CAROLINA.—The Wilmington Journal thinks there is reason to believe that the war is to be transferred to North Carolina—that Meade and his army are coming to Newbern, and that of course Confederate forces will come here to meet them.

This is quite probable. All the efforts of the yankees to take either Richmond or Charleston have signally failed. All the direct routes have been tried without success. A foot-hold in North Carolina, say on the railroad at any point from Weldon to Wilmington, would open to them a new route to one or the other city. It may be, and we hope will be, that it will prove no easier than the other routes, but it is a new one, and when all others for the accomplishment of their cherished purposes are impracticable, a new one is a necessity.

The Journal says.—

"We will not dwell upon what must already have suggested itself, namely, the suspicion that this anticipated change of base to this State may have been partly invited by the unhappy, ill-omened, and, we fear, ill meant movements made by some politicians in North Carolina, looking to a second secession of the State—a secession from the Confederacy. We say we will not dwell upon so painful a subject. Let us not, for any sake, invite the wolf as it were into our own bowels. If the thing does come, of which of course there are as yet only the premonitory flutterings, let us meet it like men. Let us, at least, have the common sense and common patriotism rather to devote, all we have and all we are, to our own defence and to the defence of our liberties, than tamely suffer them to be taken from us by the enemy. It comes to that, and the issue may as well be stated, as that it may be fairly met. If we show one shadow of wavering—if we keep up any of our foolish divisions among ourselves—if we hold back aught of the strength which it is in our power to give to our country—if we persevere in speculating or in seeking details as means of escape from duty, we are simply destroying ourselves—cutting our own throats—while we chuckle at the ingenuity displayed in cheating somebody else out of the knife with which to do the deed."

But there is another reason for anticipating such a change of plans. There can be no doubt, we suppose, that if this route to Richmond and Charleston should be selected, by the enemy, it will be with the further expectation that they will find a "Union sentiment" in the interior of the State. It will be recollected, that last Summer the yankees at Washington, N. C., held a meeting in which they resolved to ask for reinforcements to penetrate to the interior of this State with the avowed expectation, *founded upon articles in the Raleigh Standard*, of finding such a sentiment. And more recently, Mr. Everett, of Massachusetts, in his Oration before Lincoln, &c. at Gettysburg, flattered himself and his audience that "the heart of the people, North and South, is for the Union." and further, (without flattery, we fear,) he represented "an independent press" at Raleigh, (meaning evidently the Raleigh Standard,) as "yearning to see the old flag floating upon the capitols." We say we fear that Everett was not flattering anybody in this declaration, for we have twice asked the Standard if it was a true representation of the "yearnings" of the Standard, and have not been able to get any reply. Wherefore, we are bound to believe that so far as the Standard is concerned, Everett had reason for his declaration. If, therefore, the war should come to North Carolina, to desolate a part of our State, and drive defenceless old age and women and children from their homes, and to burn and lay waste and kill, a part of the responsibility therefor will undoubtedly lay at the doors of the Standard and those of its followers, who, by resolving for "the constitution as it is and the Union as it was," have plainly invited them to come.

THE EFFECT UPON THE NORTH.—We find the following in the Petersburg Express, and copy it to show the effect of the Standard's recent movement for a Convention. It is full of errors, conveying a foul slander upon "Gov. Vance and nearly every leading man in North Carolina," and in regard to what an army of 5,000 could do, and to how they would be received; but these errors result from the Standard's movement, and they and it will give immense "aid and comfort" to the enemy:—

From North Carolina—A Convention called to secede from the Southern Confederacy.—BOSTON, Jan. 22.—A correspondent of the Traveller, in writing from Newbern, N. C., states that information had reached there that a card had been issued at Raleigh for a State Convention for the purpose of seceding from their allegiance to the Southern Confederacy. The writer says: "Governor Vance and nearly every leading man in North Carolina desire to return to the Union." He also says: "An army of five thousand men under Gen. Butler could march to Raleigh, take possession of the capital and free the State from the rule of the traitors in one month's time. Such an army would receive an enthusiastic welcome there and all along the line of march. So say men who know."

FOOD FOR THE ARMY.—All our private information of late has been to the effect that Gen. Lee's noble army had been faring well for provisions. But the following late Order shows that there is a present temporary scarcity:—

HEAD'QRS ARMY OF NORTHERN VA.,
Jan'y 22d, 1864.

General Orders, No. 7.

The commanding General considers it due to the army to state that the temporary reduction of rations has been caused by circumstances beyond the control of those charged with its support. Its welfare and comfort are the objects of his constant and earnest solicitude; and no effort has been spared to provide for its wants. It is hoped that the exertions now being made will render the necessity but of short duration, but the history of the army has shown that the country can require no sacrifice too great for its patriotic devotion.

Soldiers! you tread, with no unequal steps, the road by which your fathers marched through suffering, privation and blood to independence!

Continue to emulate in the future, as you have in the past, their valor in arms, their patient endurance of hardships, their high resolve to be free, which no trial could shake, no bribe seduce, no danger appal, and be assured that the just God who crowned their efforts with success, will, in His own good time, send down His blessings upon yours. R. E. LEE, Gen'l.

This is an admirable paper! How eloquently does it appeal to the people, of all descriptions, to come to the rescue of their defenders from the least suffering for want of food or anything else! There is said to be enough food in the country, if economically used, and the soldiers should have enough of it, even if others have to deny themselves a part of their accustomed share. Surely all will admit this, and all patriots will do what they can towards furnishing the government, at fair prices, with what they can spare. As the Richmond Sentinel says,—

"Those who stay at home have not the same need for strong food. They have milk, and butter, and vegetables in abundance, which the soldiers can but seldom obtain. They have poultry and eggs, and game, and in some localities, fish and oysters. For all these the soldier has little or no chance. *Is it* a hard thing, possessed of these advantages, to give up our salted meats for the soldiers who are defending our all? It should bring the blush of shame, as it certainly would bring an abiding disgrace, to make the least objection."

AN IMPORTANT DECISION.—The first decision that we have heard of under the new law of Congress conscribing the principals, who had hired substitutes, was made by Judge French, at Lumberton, on Friday last, in a case of habeas corpus from Moore county. The importance of the question induces us to lose no time in laying the opinion before our readers. It affirms the constitutionality of the law and remands the applicant to the custody of the Enrolling Officer. It appears to be sustained by the analogous decisions of the highest Courts of this State and of the United States.

THE HABEAS CORPUS.—A squib published in the Richmond Whig has led to a false impression that Congress has suspended the writ of Habeas Corpus. It is not so. The squib was aimed, not at anything that Congress had done, but at an article published in the Enquirer by Geo. Fitzhugh, in favor of such suspension.

McCLELLAN'S CAMPAIGN.—The Washington correspondent of the New York Commercial has seen the advance sheets of the official report of Gen. McClellan, of his campaign in Virginia in 1861-'62, ending soon after the battle of Sharpsburg, by his removal from that command. From the correspondent's abstract we learn that "Gen. Burnside was ordered, when he should have seized Newbern, to occupy and destroy the Weldon and Wilmington railroad as far west as Goldsboro', and, should circumstances favor, to push as far as Raleigh—Wilmington being, however, his ultimate objective point. "Caution about proclamations," was recommended, the General being urged "to say as little as possible about politics or the negro," and to state merely "that the true issue for which we are fighting is the preservation of the Union and upholding the laws of the general government."

The people of North Carolina and of the Confederacy have reason to felicitate themselves that these purposes were not allowed to prevail as to either the railroad, Raleigh or Wilmington. To "say as little as possible about politics or the negroes," was a part of the deception attempted in the beginning of the war, from Seward down. That has long since been cast aside, and the original purpose openly avowed, to subjugate the people, to make them slaves of slaves, and to confiscate their property, dividing it among the greedy tribe of thieves and cut-throats who have invaded the South with the expectation of getting a plantation.

The following curious letter from McClellan to Lincoln may be regarded, we think, as an explanation of his removal from the command, rather than any failure as a General. It was written a few days after his defeats around Richmond, and while he was endeavoring to make his escape from the swamps to which he had retreated. After those disastrous battles, he was again called upon to meet Lee at Sharpsburg, and as he was less badly whipped there than at Richmond, it is manifest that other than military reasons operated to cause his removal in disgrace. This letter, probably written when he had been indulging in his customary habit of hard drinking, (*in vino veritas,*) is doubtless the key to his disgrace. He presumed to offer some sensible advice to Lincoln, Seward & Co., in direct opposition to their own fanatical views, and fortunately for the South—for he is the ablest General they had—it did the work for him, laid him on the shelf.

HEADQUARTERS ARMY OF THE POTOMAC,
CAMP NEAR HARRISON'S LANDING, VA.,
Monday, July 7, 1862.

Mr. President: You have been fully informed that the rebel army is in our front, with the purpose of overwhelming us by attacking our positions or reducing us by blockading our river communications. I cannot but regard our condition as critical, and I earnestly desire, in view of possible contingencies, to lay before your Excellency, for your private consideration, my general views concerning the existing state of the rebellion, although they do not strictly relate to the situation of the army, or strictly come within the scope of my official duties. These views amount to convictions, and are deeply impressed upon mind and heart. Our cause must never be abandoned—it is the cause of free institutions and self-government. The Constitution and Union must be preserved, whatever may be the cost in time, treasure and blood. If secession is successful, other dissolutions are clearly to be seen in the future. Let neither military disaster, political faction, nor foreign war shake our settled purpose to enforce the equal operation of the laws of the United States upon the people of every State. The time has come when the Government must determine upon a civil and military policy covering the whole ground of our national trouble. The responsibility of determining, declaring and supporting such civil and military policy, and of directing the whole course of national affairs in regard to the rebellion, must now be assumed and exercised by you or our cause will be lost. The Constitution gives you power sufficient even for the present terrible exigency. This rebellion has assumed the character of war; as such it should be regarded, and it should be conducted upon the highest principles known to christian civilization. It should not be a war looking to the subjugation of the people of any State in any event. It should not be at all a war upon population, but against armed forces and political organization. Neither confiscation of property, political executions of persons, territorial organizations of States, or forcible abolition of slavery, should be contemplated for a moment. In prosecuting the war all private property and unarmed persons should be strictly protected, subject only to the necessity of military operations. All private property taken for military use should be paid or receipted for; pillage and waste should be treated as high crimes; all unnecessary trespass sternly prohibited, and offensive demeanor by the military towards citizens promptly rebuked. Military arrests should not be tolerated except in places where active hostilities exist, and oaths, not required by enactments constitutionally made, should be neither demanded nor received. Military government should be confined to the preservation of public order and the protection of political rights. * * *

Military power should not be allowed to interfere with the relations of servitude, either by supporting or impairing the authority of the master, except for repressing disorder, as in other cases. Slaves contraband under the act of Congress, seeking military protection, should receive it. The right of the Government to appropriate permanently to its own service claims of slave labor should be asserted, and the right of the owner to compensation therefor should be recognized. This principle might be extended, upon grounds of military necessity and security, to all the slaves within a particular State, thus working manumission in such State; and in Missouri, perhaps in Western Virginia, also, and possibly even in Maryland, the expediency of such a measure is only a question of time. A system of policy thus constitutional and conservative, and pervaded by the influences of Christianity and freedom, would receive the support of almost all truly loyal men, would deeply impress the rebel masses and all foreign nations, and it might be humble hoped that it would commend itself to the favor of the Almighty. Unless the principles governing the futury conduct of our struggle shall be made known and apt proved, the effort to obtain requisite forces will be almost hopeless. A declaration of radical views, especially upon slavery, will rapidly disintegrate our present armies. * * * * * *

GEORGE B. McCLELLAN.

OVERTURES FOR PEACE.—In our last we directed the attention of the Raleigh Standard to the following emphatic editorial declaration of that paper on the 10th of August 1861:

"The South cannot make overtures, for she is fighting for existence, and any offer on her part to treat would be considered a sign of weakness and fear. All she asks is to be let alone. She is not let alone as long as the foot of an enemy is on the soil of the Confederate States, and just so long as a single enemy is on her soil just so long will she fight. This is as little as she can do. If she were to offer less to her enemies, or attempt to do less, she would be unworthy of the spirit and manhood of her people."

It may be objected that it is not right to hold the Standard responsible for anything said in 1861, it being well known that that paper cannot hold to one principle for any considerable length of time. So we ask the Standard's attention to a later declaration. On the 27th March 1863 the Standard emphatically declared:

"But we "must not despair of the Republic." Peace is exceedingly desirable, but it must come to us honorably. *When* and *how* it will come no one can foresee. *The way to negotiation cannot be opened by the South*, except upon the implied ground that she is willing to surrender to some extent her independence."

In just about two months from the date of this declaration the Standard inaugurated the so-called peace movement,—that is, a movement to surrender the independence of the South!

BLANKETS AND SHOES FOR OUR TROOPS.—We understand that the Ad-Vance steamer brought on her recent trip 10,000 pairs shoes, 12,000 blankets, and 8,000 pairs of cards. Also that there is plenty of clothes and blankets for our soldiers, and if they are not supplied it is the fault of their Quartermasters. We trust it will not long be anybody's fault. Clothe and feed them by all manner of means.

Gen. Morgan passed through Raleigh on Friday last, on his way to Decatur, Geo., where his forces are being organized. A large crowd at the depot welcomed him, and Gov. Vance sent an invitation to him and his wife to partake of the hospitalities of the Executive mansion. He declined to make a speech, or to stop beyond the hour of the train's stoppage. We trust that he will soon be doing the country noble service in Tennessee.

CONGRESS.—On Wednesday little or nothing of interest in open session of either House.

On Thursday, the Senate passed a bill increasing compensation of employees in Executive and legislative Departments as amended by the House. Salaries under $2000 are doubled and those between $2000 and $3000 increased 50 per cent. This increase not to apply to any clerk able to do military duty except upon the certificate of the head of Department that his services are absolutely necessary, and no one fit to take his place known. In the House the military committee reported and recommended the passage of Mr Smith's bill amendatory of the bill recently passed upon the subject of substitution in the army. It contemplates a distinction in favor of those persons who are now, and who were during the year 1863, engaged by their own labor, or in superintending the labor of others, in producing supplies for the army and the country. The bill was taken up for consideration; but before a direct vote was had upon it the morning hour expired, and the House went into secret session. There can be but little doubt that the bill will pass.

On Friday, in the House a resolution was offered that the practice of holding secret sessions is one by which the responsibility of the government to the people is in a measure destroyed, and is an encroachment on principle, to be tolerated only in extreme and public necessity, and hereafter all measures to increase the strength and efficiency of the army, and having no reference to plans of campaigns, or military operations in the field, be discussed, matured and passed in open session. It was voted down and the House refused to call for the yeas and nays. A bill to increase the pay of the non-commissioned officers and privates in service for the whole war, 100 per cent., was presented, and the rules suspended for its immediate consideration; yeas 56, nays 15. Some discussion ensued and propositions to amend made, and the matter was referred to the military committee.

THE JANUARY CONFEDERATE TAX.—The Richmond Examiner supposes, from the partial accounts received of the amounts collected in certain places, that the aggregate of the tax collected during the month just passed will have amounted to nearly if not quite a hundred millions of dollars in Virginia, and in all the Confederacy three or four hundred millions. This is probably much too large an estimate. The Examiner says that the money tax in Lynchburg is more than two millions; in Washington county, Va., bordering on the Tennessee line, half a million.

The tax collected in this town and county by Collector Hardie, is between four and five hundred thousand dollars.

Should the aggregate be indeed three or four hundred millions, it will go far towards rectifying the evils of a vitiated currency, and may enable Congress, if it can be known in time, to curtail somewhat the enormous rates of taxation understood to be contemplated by the bill now before Congress. With such an amount, and paid so cheerfully and easily, the government will be relieved, the currency appreciated, and the public feeling elevated far above that condition of despondency into which the croakers have been endeavoring to depress it.

THE YANKEES AS MASTERS.—Under this head the Chattanooga Rebel remarks upon the well known fact that the Northern men who have settled at the South and become owners or hirers of slaves, are, as a general thing, noted for their exacting more labor from their servants, and being what is called "hard masters." There is no doubt of the fact; and it arises from that other fact, that all classes at the North, both servants and masters, are driven by necessity, by competition among themselves, and by the disadvantages of soil and climate, to more active habits than is necessary or customary for either slaves or masters at the South. A person from the North, therefore, remembering the rapidity of motion to which he or she has been accustomed, cannot tolerate the slow motions of the Southern negroes. The yankees themselves admit this trait, for in Mrs. Stowe's book, "Uncle Tom's Cabin," her most cruel master is a native of New Hampshire. The Rebel thinks that it is a characteristic of the real puritan blood, and not of a large portion of Northern people of different extraction.

Carrying out this idea, the Rebel says,—

"Under the Yankees, the Indian tribes have been annihilated; while at the South they have only been removed to another part of the country. In travelling through New England one constantly meets with evidences of tribes of Indians which have long since been totally extinct. They perished at the hands of those whom they had received into their country when they had come over in the very depth of winter, and were but a handful who might easily have been destroyed. The early records of New England show conclusively that the first object of the early settlers of that country was to rid the country of the "savages," and this they attempted, not by removing them to another part of the country, and providing for their welfare, but by waging against them fierce and relentless wars, and aiming at their complete extermination. They do not seem to have supposed that they were possessed of the attributes of humanity. For proof of this we need appeal to no other authority than that of their own historian, Bancroft, although he evidently palliates as much as possible the puritanism into which he was born and in the midst of which he was reared.

"We warn the Southern people against such masters. We warn them to look for nothing better amongst yankee masters than that which the fate of the Indians has given us reason to except. Ours is a goodly land, and the yankees desire it. Under the beneficial effects of political, social and commercial freedom, this land of ours would be the most prosperous and happy on the globe; but with the yankees holding the mastery over it, the land would groan in worse than Egyptian bondage, and civilization, humanity and religion itself receive a shock which it would take centuries to repair.

"It is, therefore, we believe, a heaven-appointed mission to the Southern people, to free the country from yankee rule, to drive them back to their own frozen homes, there to remain in penitence for their evil designs towards a people in intellect their equals, and in all the kindlier attributes of humanity their superiors."

DEATHS OF SOLDIERS.—At David's Island, New York, 26th July, James C. Darnold, a member of Co. K, 11th Reg't N. C. Vols.

Killed at the battle of Gettysburg, Lieut. Francis C. Wilson, of Co. F, 20th Reg't N. C. T., aged 22 years.

At General Hospital, Wilmington, Jan'y 18th, of typhoid pneumonia, John W. Ward, of the C. S. Navy.

July 3d, of wounds received at Gettysburg, Daniel H. Haynes, of Lincoln county, aged 19.

CHARLESTON.—The siege has now lasted upwards of two hundred days. The firing has become slow, and comparatively few shells are thrown into the city. Among the incidents worth noting, one of the enemy's large shells, after penetrating the roof of a dwelling, overturned a bed in which three young children were sleeping together, throwing them rudely to the floor, but then, strange to say, passing on without bursting, and burying itself in the foundation of the house.

Liberal.—Gen. Johnston returns thanks to the Macon, Geo., Manufacturing Company for furnishing to the army of Tennessee 50,000 lbs. of Bacon at $1 per pound, whilst the price established by the government is $2 20, and the market price higher still.

The Fire at Warsaw.—A letter from Warsaw to the Wilmington Journal estimates Mr Aaron's loss at $50,000, J B Southerland's at $4000 to $5000, Col Hobson's about as much, and Wm Ketcham's $600 to $700.

From the Raleigh Confederate.

Eastern North Carolina.—A gentleman from below has furnished us with a handbill copy of the yankee Provost Marshal's "Notice," at Washington, which we copy below:

NOTICE.

PROVOST MARSHAL'S OFFICE,
Washington, N C, Jan'y 18, 1864.

The attention of the Provost Marshal has been called to the fact, that many persons are resident within the lines at Washington and under the protection of the United States forces, who have not taken and subscribed to the oath and parole required by General Order No. 49 Department of Virginia and North Carolina.

The terms of this order require that NO PERSON can have any protection, favor, passport or privilege, or have any money paid them, who does not take and subscribe to the oath and parole. Notice is therefore given TO ALL PERSONS of the years of discretion, MALE AND FEMALE, that one week's time from this date will be allowed for the purpose of taking the Oath and Parole.

T J HOSKINSON, Capt and Provost Marshal.

Arkansas.—The Yankee Gen. Steele has been directed to order an election in Arkansas for State officers under the one-tenth proclamation. Lincoln has "pardoned" some men calling themselves the Arkansas delegation, who have arrived in Washington.

FROM THE NORTH CAROLINA SOLDIERS.

CORRESPONDENCE OF THE FAYETTEVILLE OBSERVER.

Camp 5th N C Troops,
Orange C H, Jan'y 25.

Messrs Editors: No occurrence of any importance has broken the monotony of camp life since the operations near Mine Run; not even a cavalry skirmish or a picket capture; and everything is likely to remain in *statu quo* for some time to come. But when

"Those blind motions of the Spring
That show the year has turned"

begin to make themselves felt; when the birds begin to mate and make the woods melodious with their songs; when the bright fierce rays of the sun begin to penetrate us with their warmth; we may expect a madder melody—the angry but touching symphony of the bullets' whistle, and a warmer time than could be made by August sun, as the shell and grape howl through the woods like a pack of hungry fiends. The orgies of Mars will be carried to a far greater excess than even those revels of blood in which he seemed so much to delight during the eventful Summer of 1862.

The enemy will precipitate themselves upon our little band of veterans with their hundreds of thousands of troops, who will be animated by promises of "Booty and Beauty:" and as surely will they be hurled back in disorder, shattered by defeat, and cowed by ignominious and disgraceful flight for safety. Our army can end the war in triumph and return to their homes in the glad sun light of Peace, under the arches of victory, and be acclaimed to undying glory by the plaudits of a grateful nation. They can accomplish their mighty labor, win a glorious success, if they are sustained by a healthy sentiment at home, and are encouraged by a true appreciation of their services. But so long as the croakings of those cowards who shirk with every breeze, whether of victory or defeat—men who are true only so long as our armies meet with success, are traitors whenever we meet with reverses, are allowed to drown the voice of patriotism, of confidence, of determination, and of pluck, amid the hoarse clamor of a wavering fear, or cry for another Hartford Convention—we must be content to wait, to suffer, but to win at last, only after having exhausted our resources and spilled fountains of precious blood, which but for the teachings of bad men might have been saved the effusion.

Let every patriot frown upon any action tending to a division of sentiment; let every North Carolinian come forward to the rescue of the reputation of his native State; let them not tarnish her escutcheon by the meanest, most unpardonable and most cowardly desertion of principle and honor that blackens the pages of a world's history. Rather follow the path of glory already trod in the splendid majesty of a noble pride for more than two years—aye, even though death and destruction should yawn to engulf you at its terminus, than retrace those steps, through the black mire of national degradation and dishonor.

Let the old men of Carolina use their wisdom to admonish; let the young men offer an example worthy of emulation by an exodus from their easy places to join the armies in the field, or at least present no obstacle to such action on the part of others by unwise and unnecessary expressions of their fears—for "if men cannot be made *brave* at least they may keep silent;"—let the women of our country use their influence—that potent engine—to bring about a change of sentiment on the part of the traitorous and unworthy peace shriekers. Let the whole people of the State remember how many noble sons have perished in the struggle; let them remember Fisher, Pettigrew and Pender, Meares, Campbell and Stokes, Marshall, Avery and Christie, and a host of others; and then, if no nobler passion will inspire them, vow never to tire of this struggle till tenfold vengeance shall have been heaped upon the enemy, and our country be forever free from the polluted touch of their *murderers*. HORNET

The New Military Bill.—The Senate on Friday removed the injunction of secrecy as to the bill lately passed by that body and now considered in secret session of the House. The following is a synopsis:—

It provides that from its passage all white residents of the Confederate States, between 18 and 45, shall be in service during the war; and all between 45 and 55 shall enroll themselves within such time as the President shall prescribe, and all failing to enroll to be conscribed into the army in the field. All details for provost and hospital guards, service in the quartermaster, commissary, nitre, consoript bureaus, agents, clerks, etc., shall be taken from those between 45 and 55, now in the army, and below the age of 45 of those unfit for field service. All the exemption laws are repealed, except for mail contractors, and the following substituted: All unfit for service, members and officers of Congress, State Legislatures, and such other officers as the President and Governors of States shall declare necessary to administer the Government; Ministers authorized to preach on the 10th of April, 1862; one editor to each newspaper published on the 10th of April 1862, and has been regularly published and has been editor ever since, and the printers; one apothecary to each store engaged at that time and regularly since; physicians over 35 years or in regular practice for 7 years: teachers continuously engaged for 2 years; one overseer on each farm of 20 field hands, the sole proprietor being a minor, insane, femme sole, or person in service; *Provided*, that such overseer has been so employed since the 10th April 1862, and if there is no white male adult on the farm not liable to service; one person, under each government contract, with certain restrictions. Any quartermaster or commissary not in the field, provost marshal or nitre or enrolling officer, who shall employ any one liable to service between 18 and 45, to be cashiered.

From the South West.—MERIDIAN, Jan. 26.—The enemy exhibit unusual activity at Vicksburg. Reinforcements have been sent there from Memphis. Sherman and Staff arrived there recently, but their destination is unknown. Starke's cavalry had a skirmish with the enemy at Messenger's Ferry, on Big Black, a few days ago. Some prisoners were taken and a number of yankees killed. Our cavalry had a brush with the Maine brigade, near Rodney, on the 18th, defeating them.

MOBILE, Jan. 29.—A special dispatch to the Evening News, dated Jackson, Miss., Jan. 29th, says that fifteen transports, laden with troops, arrived at Vicksburg on the 27th. The enemy is in force along Big Black—Sherman's corps. It is reported that three or four regiments passed up the Yazoo to Mechanicsburg and met the 2d Texas, and fell back, a heavy demonstration being made at or near Pontchatoula. The enemy is advancing from the coast below, ten thousand strong.

MOBILE, January 27.—A special dispatch from Brookhaven, dated the 27th, says that on the 23d Gen. Wirt Adams's cavalry entered Selsertown, near Natchez, capturing 35 prisoners, 60 wagons and teams, a lot of cotton going to Natchez, and about 80 negroes.

From Northern Virginia.—ORANGE C. H., Jan. 29.—It is reported that the enemy's cavalry are moving. One report is that Kilpatrick has gone to the Peninsula in transports, and another is that they are going towards Fredericksburg.

Affairs in East Tennessee.—RUSSELLVILLE, Jan. 27.—The enemy evacuated Tazewell yesterday morning, retreating towards Cumberland Gap. Major Day occupied the place the same day, capturing some stores and property. Our troops are being rapidly clothed. Gov. Vance of North Carolina has kindly offered Gen. Longstreet enough clothing to supply his command.

From Texas.—HOUSTON, TEXAS, Jan 11.—We have accounts of another serious Indian raid in Cook county, in which twelve or fifteen people were killed. The Indians were armed and equipped by the Yankees.

Fifteen millions of dollars of Confederate money, that had run the blockade from some eastern port to Havana, and had safely reached Monterey, Mexico, en route to the Trans-Mississippi Department, have been attached by the English house of Milno & Co., of Matamoras, for an alleged failure on the part of Maj. Hart, a quartermaster and agent of the C. S. Government, in meeting his contracts with that house for cotton. The same house also attached a large amount of cotton in transitu in Mexico, belonging to the Government on the same account.

Gen. A. J. Hamilton, abolitionist, has been appointed Military Governor of Texas, and had a public reception in Matamoras by Gov. Zerona and Cortinas. In a speech at the banquet, he announced that in case the French advanced on Matamoras the yankees would help the Mexicans whip them out.

Since the 1st instant we have experienced the coldest weather known for many years. The thermometer on the 1st went to 10 degrees Farenheit. It is believed that nearly all the stubble in the sugar cane has been frozen out.

Our people have learned to look reverses squarely in the face. They evince only a determination to fight it out, no matter against what odds or under what difficulties. Texas will not succumb even if any other State should, which we regard as impossible. The health and spirits of our troops are good. The organization of the army is thorough, and veterans are in command of every brigade. Many of the regiments are from 900 to 1100 strong. In a word Texas is all right.

North Carolina First.—The Richmond Dispatch says that Johnston's Brigade of North Carolinians is the first in Lee's Army to re-enlist for the War.

The 6th, 9th and 12th Tennessee Regiments have re-enlisted for the war. So also Douglas's Texas Battery and Hart's South Carolina Battery.

Yankee Finances.—The New York Herald of the 26th represents the money market as very unpromising. A number of the railroad shares had gone down "with a rush." Gold 157¾ a 158. Exchange 172¾. The bank statement shows a continued decrease in loans, and falling off in the amount of specie; and "a further rise" in gold is looked for. The decrease in loans for the week was more than three millions, and in specie nearly $867,000. The Herald says if the banks continue thus to contract their loans a financial "break-down is inevitable before the opening of Spring."

The bank statement says the Herald, is not calculated to create any renewed feelings of confidence in monetary affairs, but, on the contrary, is more likely to produce an effect directly the reverse. The continued decrease in loans in ordinary times would create a stringency in the money market, and the falling off in the amount of specie will probably cause a further rise of the premium on gold.

The Exchange of Prisoners.—RICHMOND, Jan. 29.—The removal in the hitch in the exchange of prisoners is now a subject of much thought on the part of the Government and Congressmen. The Senate has passed a resolution looking to the exchange of such free negroes of the North as are citizens of the Northern States. The House Judiciary Committee have considered this matter, and have indicated that a report favorable to such an arrangement will be made.

From Charleston.—CHARLESTON, Jan'y 29.—The enemy last night re-opened their fire on Sumter. During the night 183 shells were thrown, 82 of which burst in and over the fort. No casualties. No damage done the fort.

The Negro Troops in Mississippi.—The following is the version of the *emeute* in Warren county, Miss., between the negro troops and yankees, a brief account of which has been received by telegraph. The Mobile Tribune says:

"We learn from a gentleman of Mississippi, for whose veracity we can vouch, that a serious insurrection occurred last week among a portion of the negro troops near Vicksburg. A Colonel of an African regiment, while drilling it, found one of the men obstinate, and, taking his musket from him, used some harsh language. The negro replied insolently, and the commander killed him. This excited the anger of the rest of the regiment, and they rushed on the whites and slaughtered several of them. They also charged a battery, took possession of it and turned it on the whites. A courier was immediately dispatched to Vicksburg for reinforcements. Two brigades were sent, on a double-quick, to the scene of action. They charged and retook the battery from the negroes, and turning the guns on them managed, by grape and canister, to kill and wound between four and five hundred. We also learn that three of the negroes belonging to the brother-in-law of our informant, came back to their owner's plantation after this affair, begging to be pardoned and promising to be faithful. They had escaped from the massacre. Our informant heard the reports of the guns and the screams of the massacred negroes.

Gen. Vance.—Gen. Vance, captured in East Tennessee, has arrived in Nashville. He was captured by Gen. Sturgis.

MARRIED,

On the 28th of January, by the Rev. James McDaniel, ELIAS BAXLEY Esq., of Robeson Co., to Mrs. FANNY BARBER, of Fayetteville.

In Carthage, on Tuesday the 26th January, at the residence of A M. Branson, by Rev'd Noah Richardson, Mr. JAMES BRADY to Mrs. NANCY McLEOD.

By the same, at the residence of the bride's father, on the evening of the 28th, Mr. ALEX'R McLEOD to Miss MARGARET WARNER, daughter of Harden Warner, Esq. All of Moore county.

Biblical Recorder please copy.

DIED,

In Robeson County, on the 25th Dec., after an illness of five days with putrid sore throat, MARY ELIZA CARTER, daughter of William and Mary G. Carter, aged 14 years and 8 months, leaving an aged father and a kind mother and one brother to mourn their loss, and many other friends who will miss her.

In Robeson county, Jan'y 12, Mrs. MARY CONOLY, consort of James Conoly, aged 63 years, 5 months and 8 days. Presbyterian please copy.

On the 6th December, of a wound received on the 29th day of November last in a skirmish on the Rapidan, Lieut. Virginius Copeland, of the 2d N. C. Cavalry, of Northampton county, in the 22d year of his age.

At Tarboro', on the 11th January, David Cashwell, of Co. F, 24th Reg't. He died, it is believed, in peace with his Maker. He has departed this world of cares and trouble. There are no wars and foemen in heaven. —Com.

At the Hospital, in Raleigh, 7th January, Joseph Tucker, of Mallett's Battalion, in the 18th year of his age.

A PRIVATE SCHOOL.

MISS MANGUM will re-open her School for young Ladies at the residence of her mother, Mrs. Willie P. Mangum, on the 28th Jan'y, 1864. Parents and guardians who desire further information, will address Miss M. P. Mangum, Red Mountain or Flat River, P. O., Orange Co., N. C.

Jan'y 20. 2*3tpd

Western Rail Road Office,

FAYETTEVILLE, Jan'y 30, 1864.

A NEW TARIFF of FREIGHT will go into operation on Monday 1st Feb'y, which will be furnished to shippers as soon as printed.

JOHN M. ROSE,
2-2w] Treas'r and Gen'l Transp. Agent.

We tern Rail Road Office,

FAYETTEVILLE, Jan'y 30, 1864.

On and after Monday 1st Feb'y, the following rates of Passenger Fare will be charged, viz:

FIRST CLASS.		SECOND CLASS.	
To Little River	$1 50	To Little River	$1 00
" Spout Spring	2 50	" Spout Spring	1 75
" Swann's	3 50	" Swann's	2 50
" Jonesboro'	4 00	" Jonesboro'	3 00
" Egypt	5 00	" Egypt	3 50

By order
JNO. M. ROSE,
2-2w Sec'y and Treas'r W. R. R. Co.

Fayetteville Arsenal and Armory,

JANUARY 30, 1864.

Musket and Rifle Stocks Wanted.

PROPOSALS will be received until the 15th day of February next or the delivery of 50,000 Walnut Musket and Rifle Stocks at this Arsenal and Armory. Specifications will be furnished on application to

2-4t Lt. Col. F. L. CHILDS, Comd'g Officer.

N. A. STEDMAN & CO.,

No. 19, Hay Street,

—Offer for Sale—

100,000 GENUINE G. D CAPS!!
600 lbs Copperas!! 20,000 Envelopes!!
20 Reams Writing Paper!! Steel Pens!!
Lead Pencils!! Slate Pencils!! Snuff!!
Chewing Tobacco, extra fine, medium and common!!
Tooth Brushes!! Fine Combs!! Blacking!!
Genuine Castile and Brown Windsor Soap!!
Coffee!! Alum!! Epsom Salts!!
Soda!! Matches!!

Feb'y 1. 2-12t

RUN THE BLOCKADE.

WM. MACINTYRE

Has received,

ONE case, 29 inch, 900 yds. all Wool White Flannel;
One case 1800 yds. Madder Calico;
35 doz. Fine 3 Bladed Knives;
250 Gross Elastic Steel Knitting Needles.

Feb'y 1. 2-5w

WANTED,

THE advertiser, a gentleman above the conscript age, wishes to borrow from three to five thousand Dollars for twelve or eighteen months. For the repayment of which a lien on Personal or Real Estate will be given. Address "INDEX" and leave at this office.

Fayetteville, Feb'y 1. 2-2t

Wood for Sale.

W. T. HORNE has 2 or 300 cords of WOOD, near C. B Mallett, Esq's residence, a good road, and down grade four miles from town; he is disposed to sell this wood cheap for fear of fire—$3 a cord at the place or one half for the other delivered in town—also he has a lot of 4-4 Sheeting that may be bartered for corn or bacon.

Jan'y 30. 2-4t

Weavers Wanted.

THE Rockfish Manufacturing Company wish to engage a few respectable young women in the Weaving Department. Application to be made at the Factory to Mr. J. R. VAN AMBERG, Superintendent, or to C. T. HAIGH, Pres't, in Fayetteville.

Dec'r 30, 1863 23-tf

SUBSCRIPTIONS FOR BENEFIT OF Mrs. TUNNELL,

OF "BETHEL" MEMORY.

Amount heretofore acknowledged. $450
From R. E. Heide, 25

Accompanying this last contribution we have the following letter, which is too creditable to the writer to be withheld:—

FT. FISHER, N. C., Jan'y 23.

Messrs. E. J. Hale & Son: Enclosed please find $25 for the benefit of Mrs. Tunnell. As a member of the old Bethel Reg't I can never forget the morning of the 10th of June, when I heard her voice warning us of the danger that was near at hand; and I shall ever be grateful to kind Providence who sent her as an agent to prevent our surprise and perhaps save us from disaster. God bless her! She is well worthy of a liberal support from the members of the old Bethel. Truly yours.

FOR THE OBSERVER.

CAMP 51ST REG'T, N C T, Near Petersburg, Va, Jan'y 26.

Messrs. Editors: Permit me to thank the ladies of the Antioch Aid Society of Robeson County for a large and valuable donation of woolen socks, blankets and clothing, which has been distributed to the three Robeson companies of this Reg't. Such timely acts of kindness will never be forgotten.

Very respectfully, H. McKETHAN, Col.

FAYETTEVILLE MARKET.—February 1.

REVIEW OF THE MARKET.

Bacon 2 75 to 3 00. Pork 2 25. Lard 2 50.
Beef 75 to 90 cts. per lb., retail.
Beeswax 2 50. Butter 3 50 4 00.
Cotton 1 25 to 1 35 Coffee 10 00 to 12 50.
Cotton Yarn—$20 to $35 per bunch.
Dried Fruit—Apples and Peaches 75 to 1 00.
Eggs 1 50 to 1 75 per dozen.
Extract Logwood $5 to $6 per lb.
Flour $125 to $145
Flaxseed 5 00 to 8 00 per bu.
Fodder 10 00. Hay 8 00. Shucks 6 00 to 7 00.
Grain—Corn $16. Wheat 20 00. Rye 15 00.
Oats 8 00. Peas 15 00.
Hides—Green 2 50 to 3 50, dry 4 50 to 5 00.
Iron—Swedes 3 00 to 3 50.
Leather—Upper 12 50 per lb., Sole $10.
Liquors—Corn Whiskey 60 00. Apple and Peach Brandy 60 00.
Molasses 15 00 to 17 50.
Nails 2 75 to 3 00 per lb.
Onions 15 00 per bushel.
Potatoes—Irish

-Cavalry-

FROM THE NORTH CAROLINA SOLDIERS.

CORRESPONDENCE OF THE FAYETTEVILLE OBSERVER.

HEADQUARTERS 2D N. C. CAVALRY,
Camp Near Guinea's Station, Va. Jan'y 18.

Editors Observer:—As the officers of this Regiment in common with a great many other N. C. Regiments, have failed to keep the friends of the Reg't and the public advised of its movements, I propose, if acceptable to you, to write an occasional letter, (although I am not anything of a newspaper correspondent,) so that our friends may know something of us. This Regiment is at present under command of Major C. M. Andrews of Statesville, N. C., who has had command more than half the time since the Reg't entered the service—owing to the absence of Lt. Col. Robinson, who has been in Europe for nearly a year. Maj. Andrews is an efficient officer and an accomplished gentleman, respected and confided in by his junior officers, and will we trust, soon be promoted by Gov. Vance to the Colonelcy of the Reg't.

I am happy to be able to say, so far as I can see, that the officers and men are cheerful and confident of our ability to achieve our independence. They are all comfortably clad and very well fed. While this is the case, they are constantly pained by rumors from North Carolina, that the people at home, who know nothing of the sacrifices they are making, "are growing despondent," are talking about "Conventions to make propositions of peace" with a people who have violated every compact made with us since the beginning of this war, whenever bad faith has resulted to their advantage. Why will not the "exempts," the faint-hearted and the *fussy* Editors of *despondent newspapers, wait* until they see some sign of alarm on the part of the soldiers in the field, who have left home, friends, families and everything they hold dear, to take the field in the sacred cause of Independence? What mean the rumors we hear, of public meetings in Johnston County and elsewhere, proposing a Convention? What can the people of North Carolina promise themselves, will result from such proceedings, but a conflict with the Confederate Government? Do they wish to bring on a civil war in addition to the one now upon us? Do they reflect that North Carolina soldiers are *sneered* at on account of their insane proceedings? No State has more soldiers, none better, no State has lost more in battle, no soldiers have fought better or are more ready to do battle again than ours. Why, then, will our people at home persist in a course of conduct calculated to bring us into disrepute with our fellow-soldiers from other States.

This Regiment has been in about twenty fights. Took part in the fight at Brandy Station, and in fact in all the important Cavalry engagements in this section. This Brigade is composed of the 1st, 2d, 4th and 5th Regiments N. C. Cavalry—under command at present of Brig. Gen'l J. B. Gordon of Wilkesboro'. Gen'l Gordon is a very gallant and efficient officer, respected for his gentlemanly bearing towards the officers and men under his command, for his remarkable coolness in time of action, and his acknowledged ability as a good military man. While our general has ever maintained a perfect *nonchalance* under a rain of leaden hail from the enemy—yet he is more easily placed "hors du combat" when attacked by a *battery of bright eyes*, and like a prudent General, under such circumstances surrenders at discretion. Capt. James S. Gaines, of Brig. Gen'l Baker's staff, is Acting Ass't Adj't for General Gordon. He is from Western N. C. and his reputation for gallantry as an officer is unsurpassed. I might in this connection make honorable mention of many others, but time fails me, and I must bring this letter to a close.

I will just add that North Carolina will do herself no discredit, by feeling proud of her representatives in this Brigade. W.

FOR THE OBSERVER.

Messrs. Editors:—It is not probable that our troops will have much fighting to do this winter. Then we have two or three months to prepare for next spring and summer's campaign, which I think from the signs of the times, will be a severe one, and probably decide this bloody war. Lincoln and his minions, encouraged by their late success in the West, and *no little by a few* indiscreet croakers among us, are preparing for a vigorous campaign, and they think we will be almost ready to give it up by next spring. Then it is necessary for us as a nation and people to make every effort in our power to give the cruel and relentless invader a good reception, and teach them that we are more deeply in earnest and determined than ever to be free and independent at all hazards. If we succeed in doing this, (and we can if *we will*) there will be great disappointment and dissatisfaction at the North, and the Presidential campaign and election coming on soon, will cause divisions and bad feeling among them, and help to close the war in our favor. Now for the sake of our country and all that is dear to us, let every soldier, officer and private, return to his post and be ready in time. And let every man upon whom the country is calling go to recruit our gallant army. Let croakers stop their croaking, and try fighting awhile. One good soldier is worth a regiment of croakers. It does appear strange to see and hear men who are well clothed and fare sumptuously every day, going about crying out in hoarse discordant notes, starvation! ruin!! whipped!!! &c., while many poor soldiers who have scarcely seen home in two years are cheerfully braving danger and undergoing every hardship. The one deserves the utmost contempt, the other all honor and praise.

Men of the South! your country needs you, either in the field or at home. Come to her assistance. Make every sacrifice that may be necessary to redeem our glorious land from a fate worse than imagination can picture. Is there an intelligent southern man who can read of the brutal insults heaped upon southern ladies by northern hirelings and negroes, without his blood boiling and bubbling in his veins? If so, he must be made of cool stuff indeed. Fathers, husbands, brothers and sons! think of your lovely and accomplished daughters, your beloved and devoted wives, your gentle and innocent sisters, and your kind and affectionate mothers; will you humble yourselves on your knees and surrender these up to the tyrant, and abandon them to the tender mercies of the most depraved and infuriated soldiery that ever disgraced civilization? Give them up to a fate worse than death? and for what? The poor pitiful boon of life and the accursed hope of saving a little property? Can it be possible that any thing bearing the name and semblance of man can be so cowardly, so low, so mean and despicable? Heaven forbid!

"In a (Southron's) sweet home shall the spoiler abide,
Profaning its loves and its charms?
Shall a (Northern) insult the loved fair at our side?
To arms—O my coun ry, to arms!"

Come, sons of the South, bury all animosities, forget speculation and private interest and advancement, rally to the assistance of our gallant army under the lead of our great and good chiefs, Lee, Johnston, Beauregard and Bragg, do your whole duty, and by the will of Heaven we will be free and independent. We know that our tyrannical enemy is stronger in many respects than we are, but we are strong in right; and true chivalry loves to fight on the weak side if its cause is just. We believe ours is a just, a holy cause. Then if we must die for it let us fall like true chivalrous soldiers, defending our country, and all that is dear to us; let us fall where the odds are greatest and the battle the hottest; and though defeated for the time, we may, like Leonidas and his noble band, gain more renown and serve our country better than if we had been victorious. Then let us to arms!

"Ah! what though no succour advance,
Nor Christendom's chivalrous lances
Are stretched in our aid—be the combat our own!
And we'll perish or conquer more proudly alone:
For we're sworn by our country's assaulters,
By the virgins they've dragged from our altars,
By our massacred patriots, our children in chains,
By our heroes of old, and their blood in our veins,
That living, we shall be victorious,
Or that dying, our death shall be glorious.
A breath of submission we breathe not;
The sword that we've drawn we will sheathe not!
Its scabbard is left where our martyrs are laid,
Earth may hide—waves engulf—fire consume us,
But they shall not to slavery doom us:
If they rule, it shall be o'er our ashes and graves;"
To the charge!—Heaven's banner is o'er us.

LEON.

The New Confederate Cruiser Rappahannock.—The Journal de Calais, of the 3d ult., gives the following particulars about the new Confederate cruiser Rappahannock:

For near two months past several young Americans had chosen Calais as a sojourn; they were of irreproachable conduct, demeaning themselves as persons of refinement, employing themselves to study, and asserting that they had left the South to escape the conscription; we had already several of the latter.

Everything was progressing favorably, when last Wednesday these young Americans, numbering thirteen, embarked aboard a fishing boat for Boulogne, with their trunks, &c., with the ostensible object of fishing in the channel. At a certain distance from the port they proposed to the master of the boat to change their course, and put them aboard a vessel they were to meet in the channel. He refused, and not to be overpowered, hailed two other Calais boats at a short distance. The three boats entered the port together, the young Americans showing no resistance.

The news of this incident circulating in the town with many comments, as it is needless to say, was indescribable, when, lo! a steamer with unknown colors appears in the roadstead. A boat leaves her and lands a seaman, who, after a short stay in the town, re-embarks; finally, the vessel itself enters the harbor and is moored at the dock.

The vessel belongs to the Southern Confederacy it is ascertained. She is a propeller of 700 to 750 tons, and, from appearances, of great speed. From the looks of her spars and outward appearance, it is plain that she still needs repairs, and that her armament is only temporary. From which conclusions are drawn, if she left England in her present condition there were good reasons for her doing so, at the bottom of which one may discern political policy had its share. Her captain, Mr. Campbell, calls her the Rappahannock. The following is a description of her ensign: A white field with a red union, the latter having a blue St. Andrew's cross and thirteen stars—equal to the thirteen States forming the Confederacy.

It is said that ten Federal vessels are cruising in the British Channel after the Rappahannock; but with our long nights and a heavy fog it will be easy for her to evade them.

These young men, our guests for two months, are evidently the staff of the Rappahannock. The Captain appears to be about thirty years of age; his officers not more than twenty to twenty-four. The majority of them were in the old U. States navy, but on the breaking out of the war resigned, and cast their lots with those of their section. That age does not give experience of warfare, but often most lofty acts of heroism are performed. Gen. Bonaparte was but 25 when he made the first campaign of Italy. The Captain of the frigate Glory, in the five brilliant engagements off the coast of Ireland with the English in 1798, was but 29. Imagination becomes inflamed with love of country and disenthralment of an odious yoke; hence it is not difficult to conceive that these young Americans, finding themselves similarly situated as their fathers were in 1776, will battle fiercely with their brothers of yesterday, but to-day enemies.

We are told that orders have been received from Paris to give the Rappahannock full liberty as to her movements. The vessel is from Sheerness.

Gen. Joe. Johnston.—A late number of the London Index has a review of a book written by an officer of the British army, who, not long ago, made a tour through the Confederacy, from Texas to Richmond, and who is described as a gentleman of remarkable intelligence, and a writer of no ordinary ability. * * * This officer visited the camp of Gen. Joe Johnston at the time Grant was besieging Vicksburg, and he mentions one fact which we do not recollect to have seen before, and which explains satisfactorily the inaction of that officer, for which he received at the time so much denunciation from people who knew positively nothing of the situation. He says that, while Gen. Grant was besieging Vicksburg with seventy five thousand men, Gen. Johnston had under his command not more than eleven thousand men and sixteen pieces of artillery. To have attacked Grant under such circumstances would have been to sacrifice his whole force without the possibility of saving Vicksburg; whereas, if Vicksburg had been evacuated, as we understand was Gen. Johnston's plan, and the army of Pemberton united with that of Johnston, the Yankees would have only had Vicksburg, as they have it now, and affairs in the Southwest be very different from their present condition.

Rich. Dispatch.

Charging the yankees with unarmed men.—The Petersburg Express says that we have frequently heard of our troops "charging the yankees," but they have invariably been fortified with the muskets and fixed bayonets. It remained for Forrest, who is fast becoming the Murat of this war, to inaugurate charging an enemy without a weapon of any description. In his recent retreat from Jackson, Tennessee, he was attacked by the yankees near the line of the Memphis and Charleston railroad, and his armed force being small, he ordered the new recruits, two thousand in number, who had not received arms, to charge the enemy. They immediately rushed; and the yankees, astounded at the force coming towards them, fled in all directions, leaving Forrest a clear road to Oxford. This *ruse de guerre* is a little ahead of anything we have yet seen chronicled.

Gen. Lee Pardons.—The Richmond correspondent of the Columbus Sun says that Gen. Lee pardoned the other day, just as the sentence was about to be executed, a deserter condemned to be shot. His reason for so doing was to encourage the wives of soldiers to act as the wife of this man had done. When the officers came in search of him, she promptly delivered him up, saying it was her duty, in spite of her love for him, and the suffering and hardships she endured in consequence of his absence, to send him back to the army, that so much needed him in this hour of the country's tribulation. For her sake, Gen'l Lee spared him. Let other wives take note.

The London Globe cautions its readers against the statement that Lord Lyons had telegraphed to Earl Russell, predicting the termination of the war in the United States in six months.

From the Raleigh Standard.

HABEAS CORPUS.

In an article which appears in the Fayetteville Observer of Dec. 21st, 1863, signed "Civic," there is the following paragraph: "And it is the opinion of at least one of the Judges of the Supreme Court, (upon the analogy, as I suppose, of the principle decided in the matter of H. C. Graham, as reported in the appendix to Jones' law, Vol. 8, No. 2, June Term 1861,) that a soldier who is absent from his command without leave, being subject to trial and punishment by a court martial for said offence, cannot, while so absent, be heard upon an application for his discharge from service." I believe that I am the Judge to whom allusion is made, because I had so decided in more than one case; and as I find in your paper of the 15th instant, an opinion of Chief Justice Pearson to the contrary, given in the case of Myrick, I feel that those who have been affected by my decision, if not the public generally, have a right to know the reasons upon which my opinion was founded.

In Graham's case it was held by all the Judges of the Supreme Court, that an enlisted soldier could not, either by himself or by his guardian, be allowed to raise the question as to the invalidity of his enlistment on account of his infancy and the want of his guardian's consent, while he was under arrest for a breach of military duty; and the Judges, for this reason, declined to give, or even to intimate, an opinion upon the merits of the case. The *principle* upon which the preliminary objection was sustained, is clearly expressed in the opinion delivered by the Chief Justice. It is as follows: "If such were not the law, all order and discipline in the army would be subverted. Would it be tolerated, that one should insinuate himself into the condition of a soldier, and when by the disobedience of orders or other violation of duty, the safety of the whole army has been endangered, evade the military jurisdiction by being heard to impeach the validity of his enlistment?"

Under an act of the Confederate Congress, a man may be made a soldier by conscription as well as become one by enlistment. When conscribed, and having acted as a soldier for months by receiving pay, &c., and obtaining a furlough as such, would not all order and discipline in the army be subverted, if he were allowed, while a deserter or absent without leave, to raise the question as to the legality of his conscription? Why should a man, claimed to be a soldier as a conscript, be placed upon a better footing than one claimed as a volunteer? If the principle settled in Graham's case is worth anything, it appears to me to be just as applicable to the one case as the other. Both the volunteer and the conscript are *prima facie* soldiers, and if they desert, or are absent from service without leave, they ought, in my opinion, to be treated alike. It is the effect of a preliminary objection of this kind, when sustained, to prevent an enquiry into the case upon what would otherwise be its merits, and as a defaulting volunteer ought not to be heard to impeach the validity of his enlistment, so a defaulting conscript should not be heard to call in question the legality of his conscription.

But it is said that the case of Dixon, decided at the last term of the Supreme Court, is a direct authority against my position. I do not think so, because to the best of my recollection, the preliminary objection was not urged by the counsel for the government. The case was so plain against the petitioner upon its merits that I do not think the Court deemed it necessary to file any other than a mere formal opinion. At any rate, Mr. Jones has not reported it among the other cases of *habeas corpus* decided at the term, and in the short reference to it made in Guyer's case, there is not a single fact stated to show that the preliminary objection could have been taken. (See Jones' cases of *habeas corpus* at page 73.)

I have thus briefly set forth the reasons upon which my opinion in the matter under consideration was formed; and I have only to add that the case in which I made my first decision was from Moore county, and was before me in the month of July or August last, and as I have not been convinced of having committed any error in making the decision, I shall feel bound to adhere to it until it shall be overruled by the Supreme Court.

WILL. H. BATTLE.

A Mammoth Swindle.—The swindles of this war are carried on on as grand a scale as the war itself—both exceed anything yet accomplished in their respective lines. Capt. Decie, an Englishman, residing near the Montgomery White Sulphur Springs, has "recognized" the Confederacy—done it for the handsome figure of $1,200,000—and sloped. His operations were sales of bogus bills of sterling exchange. The Lynchburg Virginian gives the following account of this great swindle:

"The bills were disposed of to various merchants and brokers of Richmond and other towns, and on being forwarded for collection the startling fact was brought to light that they were spurious. They, however, bear the endorsement of the Cashier of the Bank of the Valley at Christiansburg, which indemnifies the holders from loss, but will ruin the Bank. The Cashier had such assurances as to make him perfectly confident of his safety in the transactions, but it turns out that they were delusive.

"Decie, we believe, claims to be an officer in the Royal Navy, and, we understand, had some connection with our Government. He has been residing for a year or two in Montgomery, where he owns a plantation, and has recently had erected a splendid residence. A great deal of his time, however, was spent in Richmond, where he lived in princely style, paying as much as one hundred and forty dollars a day at the hotels, besides taking his meals at the restaurants. His extravagance seemed to have no bounds. Decie is supposed to have gone to England. He left fifteen or twenty negroes, farm, furniture, etc., which have been attached for the benefit of the sufferers."

Food.—We again urge upon our planting friends the policy and duty of preparing for a bountiful crop of vegetables for their negroes. There is not, by a large amount, meat enough in the Confederacy to allow full rations to the army and people, negroes included. The army must be fed, we all know, and, the smoke-houses of planters must furnish the subsistence. The meat rations of the negro must be reduced to at least two pounds per week. With a plenty of vegetables this is sufficient, or will do very well. Without that addition the negroes will suffer. Let every planter, then, put in at least a half acre in collards to every ten hands. If he will manure the ground highly, that half acre will be worth to him a thousand dollars or more. Now is the time to plant them. Don't mind cold weather. It won't hurt them. In three months from to-day we will receive the thanks of every man who adopts this advice.—*Columbus Daily Times.*

Fire at Warsaw.—We learn by passengers on the Wilmington & Weldon train, that a fire broke out yesterday afternoon, at 2½ o'clock, in the stables on the lot occupied as Mr. Aaron's Hotel, at Warsaw, Duplin county. The stables and Mr. Aaron's Hotel, together with Mr. J. B. Southerland's dwelling, Mr. Hobson's store, and a few small buildings, were consumed. We also learn that several buildings on the East side of the Rail Road were totally consumed.

Wilmington Journal, 25th.

PEACE TALK.

From the Charleston Mercury.

The poisonous shadow of reconstruction seems still to haunt some of the people of North Carolina. This baleful policy, at the first creation of the Confederacy, had some ground to rest on. Our long association with the yankees had taught some of our public men nothing of the Yankee characteristics. They actually lamented our separation from them as a sad calamity; and they entertained the hope that, after a brief angry contest, we would again lapse into the tender and loving embraces of our Northern confreres. The war has dispelled these desperate vanities. It has shown to all men what the Yankees are. It has shown to every man in the Confederacy, capable of having an opinion, what was our inevitable doom in political association with them, and what is now our terrible fate of remorseless and utter ruin, if we ever again submit to their domination. Reconstruction is killed, not by the despised faith of the fond and senseless Southerner, "with sweet, reluctant, amorous delay!"—but by the Yankees themselves, in full development of their long meditated policy of conquering and appropriating the South. Reconstruction is repudiated, and by the Congress of the United States. By an overwhelming vote that body has lately determined that no treaty whatever shall be held with the Confederate States, to re-adjust any terms of peace or Union; but that we shall be conquered and subjected as rebels, and take the fate of conquered rebels. Garrett Davis, a Senator from Kentucky, who, with the other Union-saviours of Kentucky, has cheated that State into helplessness and submission to Yankee rule, ventures to question this policy, and he is immediately threatened with expulsion from the Senate. Even he, one of their most abject and submissive tools, shrinks back with horror from their cruel purposes of blood and desolation over the South.

Whatever may have been the folly of the past, may we not hope that in North Carolina, as every where else, this vain talk of peace, when there is no peace with the yankees, will now end, and end forever? Such language now can mean only submission to their conquest of us. Peace on any terms, means *submission on any terms.* Nor is this all. The Tennesseeans and Kentuckians have found out that their yankee conquerors will not leave them a position of neutrality. They are forced into the ranks of their army, and are compelled to fight with the yankees for our subjugation. Their submission, therefore, involves active military service against us. In other words, *they must become traitors* to their State and the Confederacy, of which their States are a part. With such an alternative forced upon them, we cannot but hope that the Confederate States will be more united than they have ever been in resisting, energetically and desperately, our demoniacal and cruel foes. The peace of submission is pecuniary ruin and political death.

The Number of Deceased Soldiers.—RICHMOND, Jan. 25.—The number of soldiers that have been killed and died in the service from each State may somewhat be approximated from the following:

To 31st Dec. last the following number of applications had been filed in the 2d Auditor's office by widows and orphans of deceased soldiers: Virginia 4,945; North Carolina 8,261; South Carolina 4,511; Georgia 9,054; Alabama 8,060; Mississippi 3,270; Texas 1,224; Tennessee 871; Florida 561; Arkansas 861; and Louisiana 327.

General Orders No. 89, issued 13th October, 1862, requires that commanders of companies, immediately on the death of a soldier, shall make out and forward to the 2d Auditor a descriptive list showing the name, when and where enlisted, from what cause he died, and when last paid. Surgeons in charge of Hospitals are also required to make similar reports of all soldiers who die.

The following number had been reported up to the 31st Dec. last: Virginia 5,943; North Carolina 7,962; South Carolina 2,900; Georgia 6,277; Alabama 8,987; Tennessee 2,839; Mississippi 5,367; Louisiana 3,139; Florida 1,119; Arkansas 1,948, and Texas 6,377. These returns show a great deal of negligence by Captains and Surgeons in reporting the deaths of soldiers.

Death of Col. Cluke.—A dispatch has just been received by Capt. Ellsworth, Gen. Morgan's Telegraphic Operator, containing information of the death of Col. R. S. Cluke, Acting Brigadier General in Gen. Morgan's command. This distinguished officer died in the Ohio Penitentiary, in a dungeon, in close confinement. The news came to Gen. Morgan by letter sent through a flag of truce by Col. D. Howard Smith, now on parole in the city of Columbus, Ohio. There is no doubt that his death was caused by the harsh treatment he received while in prison, as he was in perfect health at the time of Gen. Morgan's escape. Thus has perished, by Yankee brutality, one of the most gallant officers in the Confederate army.—*Atlanta Intelligencer.*

Horrible Destruction of Life by Fire.—The steamer Ariel, at New York from Aspinwall, on the 8th, brings accounts of a horrible conflagration at Santiago, Chili, on the 8th ultimo, being the last day of the celebration of the feast of the Immaculate Conception. The Church of the Company of Jesus was filled to overflowing, mainly by women and children, to witness the magnificent illumination of the edifice, and to participate in the closing exercises. The church was heavily hung with drapery and lighted with twenty thousand lamps. Not less than three thousand persons were present, including the *elite* of the capital. Suddenly the gas pipe burst, and almost instantly the entire building was in flames. The poor creatures inside found it impossible, through insufficient means of exit, to escape, and in less than fifteen minutes twenty-five hundred persons perished. The conduct of the priests is censured without stint.

The Advance.—It will no doubt be pleasing to many of our readers to know that the steamship Advance has been gotton off the beach, and has arrived safely in port, but slightly damaged.

Wilmington Journal, 25th.

Large Price.—The Columbia Daily Carolinian office, with book bindery and job office attached, has been sold to F. C. De Fontaine, Esq., for $130,000.

Mineral Springs Academy.

THE Exercises of this Institution will be resumed on the Second Monday in January, 1864.
Rates of Tuition: $20, $30 and $40 per Session.
Board will be raised according to the prices of provisions
Jackson Springs, Dec'r 30 N. D. J. CLARK, Principal. 94-*6tpd

$200 REWARD.

RANAWAY from the subscriber on the 23d of December, his negro men LEWIS and WILLIS, color black. Lewis 32 years old, about five feet six inches high, stout built, with rather a sharp chin and slow spoken. Willis 24 years old, about five feet 8 inches high, stout built, a full round face and a space between his upper teeth. They are probably endeavoring to reach Newbern. I will pay the above reward for their delivery in any jail in the State where I can get them.
Gulf P. O., Jan. 4. 1864. L. J. HAUGHTON. 96-*9tpd

NOTICE.

FROM and after this date I will charge Two Dollars per mile and other charges in the same proportion for Medical services until the condition of the currency will justify lower or demand higher rates of charge, of which due notice will be given.
Rush's Mills, N. C., Jan'y 20, 1864 ALLEN McLENNAN. 1300*2tpd

GEN. D. H. HILL IN THE MARYLAND CAMPAIGN

In the army correspondence of the Savannah Republican of the 13th inst., we find the following correction by General Hill of the statement that he had carelessly dropped an order from which the enemy, under General McClellan, had gained valuable information:

One word further, in regard to General D. H. Hill, and I have done. General McClellan, in his evidence before the court martial in the case of General McDowell, testified, in substance, that Gen. Lee's plans were revealed to him just before the battle of Sharpsburg by an order addressed to Gen. D. H. Hill, which the latter had dropped, and which had been found and brought to him. The fact that such testimony had been given by McClellan was stated in one of my letters from Virginia early last summer. General Hill's attention having been called to the publication, he addressed a letter of explanation to an officer in the army of Tennessee, and requested him to read the following paragraph from the letter to me:

"I learn that 'P. W. A.' is the author of an article charging me with being the cause of the failure of the first Maryland campaign. My attention was called to the matter after I went to Chattanooga. I wrote to my wife that I believed the original copy of the order said to be lost by me, was among my papers. She has just handed it to me. If McClellan found an order addressed to me, I can't believe that I lost it. May it not have been lost by the courier carrying it to me, or misplaced in some way at Gen. Lee's own office? I can't swear, of course, that I did not lose it. You remember that I entered Maryland under Jackson's command. The copy I have is in Jackson's well known hand, and is dated 'Sep. 9th 1862,' and is marked 'Special Order 191.' Chilton may have prepared another copy for me directly, and I may have lost it, or my Adjutant may have done so; or it may have been lost by Chilton's courier, or about his office. I don't know anything about the matter. If really to blame, I am willing to bear the censure. When I first heard of it, I felt surprised, as I had a dim recollection of sending the original order home. It has been my habit to send all my letters, orders, &c., home at least once a month when I can find a safe opportunity. The copy I have was written by Jackson himself, and is marked 'confidential.' I will write to Chilton to know whether he sent a copy directly to me."

The Capture of Gen. Vance.—We find the following letter in the Columbia Carolinian:

ASHEVILLE, N. C., Jan. 18.—On Wednesday last, Gen. Vance, with about 150 men, entered the village of Sevierville, about twenty-eight miles Southeast of Knoxville, and captured a Federal foraging train of seventeen wagons, loaded with flour, &c. He was making his way out in this direction, and on Thursday had reached Cosby Creek; when, about 1 p. m., he was attacked by a regiment of Federal cavalry. Gen. Vance and about seventy-five men were captured. The Federals then returned in the direction of Knoxville. He had ordered Col. Thomas, who was some twenty miles distant, to join him with a portion of his command at Cosby; but for some reason his orders were not obeyed. Henry's cavalry and our artillery passed the same place the next day and reached Newport safely. They learned from the citizens that Gen. Vance had been sent to Knoxville.

The Asheville News has the following:—*Capture of Brig. Gen. Vance.*—Some days since Gen. Vance, with a part of Henry's battalion and a few men from Thomas's Legion, started towards Sevierville, Tennessee. At Gatlinsburg he left his artillery and all his men but about one hundred, dashed into Sevierville, and captured a yankee train of seventeen wagons, with the teamsters and wagon masters. Six hundred yankee cavalry were encamped six miles below town, to whom information was of course promptly communicated of what Gen. Vance had done.

In the meantime Gen. V. pushed off towards Cosby with his prize, stopping at Shult's Mill about an hour, having sent a courier ordering the men at Gatlinsburg to meet him there. This they failed to do, stating that the route was impracticable for artillery. At the end of about an hour, and while Gen. Vance's men were entirely off their guard, the yankees swept down upon them, taking them completely by surprise. A running fight ensued, our men scattering in every direction, and making a stand wherever a few of them could get together. Gen. Vance rallied a little squad, and after an ineffectual resistance against overwhelming numbers, was captured, with his Inspector General, Capt. Lucius H. Smith, and about thirty others. Major Charlie Roberts was in the affair, as was also Dr. W. H. Murdoch, but escaped, with many others. The yankees recaptured their wagons, and also one ambulance and about fifty horses from Gen. Vance's command.

Col. Henry, with his cavalry and artillery, worked his way through the mountains, and passed over the battle ground the next day, and most of the information in regard to the capture of Gen. Vance he obtained from people living on the spot. The yankees did not tarry long, but pushed off as rapidly as possible.

These are substantially the facts as gathered from the information received here by Col. Palmer, of this unfortunate affair.

When will our people learn the importance of heeding both ends of the injunction, "Watch and pray?"

From East Tennessee.—RUSSELLVILLE, Jan'y 23.—Advices from the front are very encouraging. Our cavalry were within four miles of Knoxville, and have captured five hundred beef cattle, one hundred wagons, and a large amount of property.

From the North.—Northern papers of the 18th and 19th have few items. In the yankee Senate on the 16th Mr. Trumbull offered an amendment to the enrollment bill, requesting the President to call out one hundred thousand men for one hundred days, with the sole object of driving the rebels out of Virginia. After debate the amendment was rejected. In the House of Representatives, on the 18th, Dawson of Pennsylvania offered a resolution to the effect that the war is not waged for conquest and requesting the President to issue a proclamation that when any State in insurrection shall submit to the Federal government hostilities against her shall cease and such State be protected against all interference with local laws and institutions—tabled, ayes 79, noes 58. Mr. Cox offered a resolution to refer the exchange of prisoners to a Board of Commissioners—tabled, ayes 91, noes 56. Mr. Smith of Kentucky, offered strong war resolutions. Adopted—ayes 112, noes 16. In the Senate the resolution for the expulsion of Davis was referred to the Judiciary Committee.

Gold in New York was 155 on the 16th, 157½ on the 18th, 158 and 159 on the 19th.

Moore Superior Court of Law,

FALL TERM, 1863.

Harris Tyson vs. New York White Soap Stone Co.

IT is ordered by the Court, in this case, that publication be made in the Fayetteville Observer for six weeks, for the Defendants in the said case, to appear, plead, answer or demur, at the next Term of this Court, or judgment pro confesso will be entered against them.
Witness, L. H. Caddell, Clerk of our said Court, at Office, the Monday before the last Monday in August A. D., 1863. Issued 9th January 1864.
98*6tpd] L. H. CADDELL, C. S. C.

NEW PUBLICATIONS

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MOLVEN AND LINDA, by Rev. A. W. Mangum. Beautiful and good. Price $1.

FIRST BOOK IN COMPOSITION, contains a number of pleasant writing exercises. The only book of the kind published in the Confederacy. Price 1 50.

HISTORICAL SCRIPTURE QUESTIONS, suited to Sabbath Schools and to soldiers in camp. The best book of the sort yet published. Price 50 cts.

The usual deductions made to the trade.

N. B.—Those ordering books to be sent per mail, must send 10 cents extra on each dollar to pay postage.

BRANSON, FARRAR & CO.
Raleigh, Nov. 16. 85 tf

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Napoleon's Maxims of War,	1 00
Cavalry Drill by Patten,	1 50
Bayonet Exercise and Skirmish Drill,	1 00
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Elementary Spelling Book,	1 00
The Confederate Speller,	1 00
Our Own Speller,	1 00
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N. B.—Those ordering books by mail should send an extra ten cents on the dollar for postage.

BRANSON, FARRAR & CO.,
Raleigh, N. C.

Confederate Tax Notice.

I WILL attend with the Assessors in Carthage, on the 25th, 26th, 27th and 28th of Jan'y 1864, and Jonesborough on the 29th, to receive the Income Tax due Jan'y 1864, and the Tax due from dealers. Dealers will notice that their Licenses expire on the 31st December 1863, and that they are to return the amount of sales for the last quarter, &c. The Income Tax is payable by each person, joint stock company and corporation, from every employment or business, whether registered or not, in which they may have been engaged, and from every investment of labor, skill, property or money, and the income and profits derived from any source whatever, from Jan'y 1 1863 to Jan'y 1 1864, except incomes of and under $500, and profits or incomes derived from farms taxed in kind.

I will also attend in Montgomery county for the same purpose, at Rock Springs on the 1st day of Feb'y 1864; Mt. Gilead, 2d; Troy, 3d; Fork, 4th. All are requested to attend, &c.

ALEX'R KELLY, Col'r 32d Dist.,
Moore and Montgomery.
Jan'y 12, 1864 98-1*2t

Two Hundred Dollars Reward.

RANAWAY on the 18th September, my negro woman JENNY, aged about 28 years, about 5 feet high, dark complexion, looks surly unless spoken to, at which time she is very pleasant. She ranaway sometime previous and was taken up in Robeson county, N. Carolina, in the neighborhood of Shoe Heel Depot, working about under the pretence of being free. She was carried off by one Lewis Oxendine, a mulatto who was hauling corn at that time, from my plantation. I will give the above reward for her delivery to me or in any Jail so that I get her. I will give one hundred dollars more for proof sufficient to convict any person of harboring her.

My address is Brownsville Post Office, Marlborough District, South Carolina. JOHN A. HODGES.
Dec 6, 1863. 89 *17tpd

WANTED,

AN experienced Male and Female Teacher, to take charge of a School in Smithville, Brunswick county. Apply to J. C. Swain, or the subscriber, near Smithville. JESSE G. DREW.
Jan'y 9, 1864 98*9tpd.

Dr. T. L. WINSLOW,

HAVING removed to Beaumont, Chatham County, would respectfully offer his professional services to the surrounding country, hoping from an experience of nearly twenty years of regular practice, to be able to share a portion of the confidence of the community.
Jan'y 1864. 98-*3m

$100 Reward.

RANAWAY from the subscriber, on the night of the 26th of December last, my negro boy JOHN TAYLOR. Said boy is about 17 years of age, very black, has a very good set of teeth. He represents himself as being the son of Wm. John Jackson's Allen, which is the case: he also says he is owned by Daniel Lambert, and sometimes says he belongs to James J. Lane. Said boy was in Fayetteville a few days since; he stated there that he was sent to work on the fortifications, which is not the case. As he is my property I will pay the above reward for his delivery to me in Randolph county, Brush Creek P. O., or his confinement in any Jail so that I get him again. I fear he is making his way to the yankees. GEO. W. DORSETT.
Jan'y 20, 1864 1300-2t*pd

State of North Carolina,

MONTGOMERY COUNTY.

Court of Pleas and Quarter Sessions, Jan'y Term, 1864.
Caroline Russell vs. Gillam Russell, Nancy Russell.
Petition for Dower.

IT appearing to the satisfaction of the Court, that Pinkney Russell and Shelly Russell, two of the Defendants, reside beyond the limits of the State: It is therefore ordered, that publication be made for six weeks successively, notifying the Defendants of the filing of this Petition, and that unless they appear at the next term of this Court, to be held the 1st Monday in April next, and answer the petition, the same will be taken pro confesso, and heard ex parte as to them.
Witness, J. S. Spencer, Clerk of said Court, at office in Troy, 1st Monday in January 1